

**THE KENTUCKY STATE PLAN FOR
VOCATIONAL REHABILITATION SERVICES PROGRAM
AND
STATE PLAN SUPPLEMENT FOR
SUPPORTED EMPLOYMENT SERVICES PROGRAM**

July 1, 1999 – June 30, 2007

**Updates Effective
July 1, 2006 – June 30, 2007**

**Kentucky Office of Vocational Rehabilitation
Department of Workforce Investment
209 St. Clair Street
Frankfort, Kentucky 40601**

**STATE PLAN FOR THE
STATE VOCATIONAL REHABILITATION SERVICES PROGRAM
AND
STATE PLAN SUPPLEMENT FOR THE
STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM**

TABLE OF CONTENTS

**STATE PLAN FOR THE
STATE VOCATIONAL REHABILITATION SERVICES PROGRAM**

<u>SECTION</u>	<u>PAGE</u>
1. Legal Basis and State Certifications	1-2
2. Public Comment on State Plan Policies and Procedures	
1. Public Participation Requirements	2-3
2. State Review Process	3
3. Submission of the State Plan and Its Supplement	
1. Submittal of the State Plan, Its Supplement and Revisions to the Plan and Its Supplement	3-4
2. Supported Employment Plan	4
4. Administration of the State Plan	
1. Designated State Agency and State Unit	4-5
2. Independent Commission or State Rehabilitation Council	5-7
3. Consultations Regarding the Administration of the Plan	7
4. Non-Federal Share	7
5. Local Administration	7-8
6. Statewideness and Waiver of Statewideness	8
7. Shared Funding and Administration of Joint Programs	8-9
8. Third-Party Cooperative Arrangements	9
9. Cooperation, Collaboration, and Coordination	10-12
10. Methods of Administration	12-13
11. Comprehensive System of Personnel Development	13-14
12. Annual State Goals and Reports of Progress	14-17
13. Innovation and Expansion	17-18
14. State-imposed Requirements	18
15. Protection, Use, and Release of Personal Information	18
16. Mediation and Impartial Due Process Hearing	18-19

17.	Reports	19
5.	Scope of the State Vocational Rehabilitation Services Program	
1.	Scope of Vocational Rehabilitation Services for Individuals	19-21
2.	Written Policies on Provision of Services to Individuals	21-22
3.	Opportunity to Make Informed Choices Regarding Selection of Services and Providers	22
4.	Services to American Indians	22
5.	Scope of Vocational Rehabilitation Services to Groups of Individuals	22-24
6.	Contracts and Cooperative Agreements	24
6.	Administration of Provision of Services	
1.	Record of Services	24
2.	Referrals and Applications	25
3.	Information and Referral Services	25
4.	Ability to Serve All Eligible Individuals and Order of Selection for Services	25-26
6.	Assessment for Determining Eligibility and Priority of Services	26-28
6.	Procedures for Ineligibility Determinations	28
7.	Closure Without Ineligibility Determination	28-29
8.	Availability of Comparable Services and Benefits	29-30
9.	Participation in Cost of Services Based on Financial Need	30-31
10.	Development of the Individualized Plan for Employment	31-33
10.	Mandatory Components of the Individualized Plan for Employment	33-35
12.	Annual Review of Individuals in Extended Employment and Other Employment Under Special Certificate Provisions of the Fair Labor Standards Act	35

STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM

7.	Program Administration	
1.	Designated State Agency	36
2.	Statewide Assessment of Supported Employment Services Needs	36
3.	Quality, Scope, and Extent of Supported Employment Services	36
4.	Goals and Plans for Distribution of Title VI, Part B Funds	36
5.	Evidence of Collaboration Regarding Supported Employment Services And Extended Services	36
6.	Minority Outreach	36-37
7.	Reports	37
8.	Financial Administration	

1.	Five Percent Limitation on Administrative Costs	37
2.	Use of Funds in Providing Services	37
9.	Provision of Supported Employment Services	
1.	Scope of Supported Employment Services	37-38
2.	Comprehensive Assessments of Individuals with Significant Disabilities	38
3.	Individualized Plan for Employment	38
	Listing of Attachments	39-40

**STATE PLAN FOR THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM
AND
STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES
PROGRAM**

STATE: **Kentucky**

AGENCY: **Office of Vocational Rehabilitation**

AGENCY TYPE: **GENERAL X BLIND COMBINED**

SECTION 1: LEGAL BASIS AND STATE CERTIFICATIONS

- 1.1** The **Kentucky Office of Vocational Rehabilitation** (name of designated State agency or designated State unit) is authorized to submit this State plan under title I of the Rehabilitation Act of 1973, as amended¹ and its supplement under title VI, part B of the Act.²
- 1.2** As a condition for the receipt of Federal funds under title I, part B of the Act for the provision of vocational rehabilitation services, the **Kentucky Department for Workforce Investment** (name of the designated State agency)³ agrees to operate and administer the State Vocational Rehabilitation Services Program in accordance with the provisions of this State plan⁴, the Act, and all applicable regulations⁵, policies, and procedures established by the Secretary. Funds made available under section 111 of the Act are used solely for the provision of vocational rehabilitation services under title I and the administration of this State plan.
- 1.3** As a condition for the receipt of Federal funds under title VI, part B of the Act for supported employment services, the designated State agency agrees to operate and administer the State Supported Employment Services Program in accordance with the provisions of the supplement to this State plan⁶, the Act, and all applicable regulations⁷, policies, and procedures established by the Secretary. Funds made available under title VI, part B are used solely for the provision of supported employment services and the administration of the supplement to the title I State plan.
- 1.4** The designated State agency and/or the designated State unit has the authority under State law to perform the functions of the State regarding this State plan and its supplement.
- 1.5** The State legally may carry out each provision of the State plan and its supplement.
- 1.6** All provisions of the State plan and its supplement are consistent with State law.
- 1.7** The **State Treasurer** (title of State officer) has the authority under State law to receive, hold, and disburse Federal funds made available under this State plan and its supplement.

- 1.8 The Executive Director, Office of Vocational Rehabilitation (title of State officer) has the authority to submit this State plan for vocational rehabilitation services and the State plan supplement for supported employment services.
- 1.9 The agency that submits this State plan and its supplement has adopted or otherwise formally approved the plan and its supplement.
- 1.10 The effective date of this State plan and its supplement is June 1, 1999.

_____	<u>Ralph Clark</u>
(Signature)	(Typed Name of Signatory)
<u>May 5, 2006</u>	<u>Executive Director</u>
(Date)	(Title)

¹ Public Law 93-112, as amended by Public Laws 93-516, 95-602, 98-221, 99-506, 100-630, 102-569, 103-073, and 105-220.

² Unless otherwise stated, "Act" means the Rehabilitation Act of 1973, as amended.

³ All references in this plan to "designated State agency" or to "the State agency" relate to the agency identified in this paragraph.

⁴ No funds under title I of the Act may be awarded without an approved State plan in accordance with section 101(a) of the Act and 34 CFR part 361.

⁵ Applicable regulations include the Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 76, 77, 79, 80, 81, 82, 85, and 86 and the State Vocational Rehabilitation Services Program regulations in 34 CFR part 361.

⁶ No funds under title VI, part B of the Act may be awarded without an approved supplement to the title I State plan in accordance with section 625(a) of the Act.

⁷ Applicable regulations include the EDGAR citations in footnote 5, 34 CFR part 361, and 34 CFR part 363.

SECTION 2: PUBLIC COMMENT ON STATE PLAN POLICIES AND PROCEDURES**2.1 Public participation requirements.** (Section 101(a)(16)(A) of the Act; 34 CFR 361.20(a)(1) and (2), (b), and (d), and 363.11(g)(9))

- (a) The designated State agency, prior to the adoption of any policies or procedures governing the provision of vocational rehabilitation services under the State plan and supported employment services under the supplement to the State plan, including making any amendment to such policies and procedures, conducts public meetings throughout the State to provide the public, including individuals with disabilities, an opportunity to comment on the policies or procedures, and actively consults with the Director of the client assistance program carried out under section 112 of the Act, and, as appropriate, Indian tribes, tribal organizations, and Native Hawaiian organizations on the policies or procedures.
- (b) The designated State agency provides adequate notice of the meetings in accordance with State law governing public meetings, or, in the absence of such State law, in accordance with procedures developed by the State agency in consultation with the State Rehabilitation Council, if the agency has a Council.

2.2 State review process. (34 CFR Part 79)

If the State plan, its supplement, or amendment to the State plan is subject to the State review process, such materials are reviewed and commented on in accordance with the provisions of Executive Order 12372, and comments provided by the State review process are transmitted to the Rehabilitation Services Administration.

This State plan and its supplement are subject to the State review process.

Yes X No

EFFECTIVE DATE:

SECTION 3: SUBMISSION OF THE STATE PLAN AND ITS SUPPLEMENT**3.1 Submittal of the State plan, its supplement, and revisions to the plan and its supplement.**
(Sections 101(a)(1), (23) and 625(a)(1) of the Act)

- (a) The State submits to the Commissioner a State plan for vocational rehabilitation services that meets the requirements of section 101 of the Act and a State plan supplement for supported employment services that meets the requirements of section 625 of the Act on the same date that the State submits a State plan under section 112 of the Workforce Investment Act of 1998.
- (b) If the State submits a State unified plan under section 501(b) of the Workforce Investment Act of 1998 that includes the State plan for vocational rehabilitation services and its supplement for supported employment services in the unified plan, the State submits to the Commissioner the State plan for vocational rehabilitation services and its supplement for supported employment services on the same date that the State submits its unified plan under section 501(b) of the Workforce Investment Act of 1998.
- (c) The State submits only those policies, procedures, or descriptions required under this State plan and its supplement that have not been previously submitted to and approved by the Commissioner of the Rehabilitation Services Administration.
- (d) The State submits to the Commissioner at such time and in such manner as the Secretary determines to be appropriate, reports containing annual updates of the information relating to the:
 - (1) comprehensive system of personnel development;
 - (2) assessments, estimates, goals and priorities, and reports of progress;
 - (3) innovation and expansion activities; and
 - (4) requirements under title I, part B or title VI, part B of the Act.

EFFECTIVE DATE: July 1, 1999

- (e) The State plan and its supplement are in effect subject to the submission of such modifications as the State determines to be necessary or as the Commissioner may require based on a change in State policy, a change in Federal law, including regulations, an interpretation of the Act by a Federal court or the highest court of the State, or a finding by the Commissioner of State noncompliance with the requirements of the Act, until the State submits and receives approval of a new State plan or plan supplement.

3.2 Supported employment plan. (Sections 101(a)(22) and 625(a) of the Act; 34 CFR 361.34 and 363.10)

The State has an acceptable plan for carrying out part B of title VI of the Act, including the use of funds under that part to supplement funds made available under part B of title I of the Act to pay for the cost of services leading to supported employment.

SECTION 4: ADMINISTRATION OF THE STATE PLAN

4.1 Designated State agency and designated State unit. (Sections 101(a)(2) of the Act; 34 CFR 361.13)

(a) Designated State agency.

- (1) There is a State agency designated as the sole State agency to administer the State plan, or to supervise its administration in a political subdivision of the State by a sole local agency.
- (2) The designated State agency is:
- _____ primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities; or
- X not primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities.
- (3) In American Samoa, the designated State agency is the Governor.

EFFECTIVE DATE: July 1, 1999

(b) Designated State unit.

- (1) If the designated State agency is not primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities, the State agency includes a vocational rehabilitation bureau, division, or other organizational unit that:
- (A) is primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of individuals with disabilities, and is responsible for the designated State agency's vocational rehabilitation program, including those responsibilities specified in subparagraph (5) of this paragraph of the State plan;
 - (B) has a full-time director;
 - (C) has a staff, at least 90 percent of whom are employed full time on the rehabilitation work of the organizational unit;
 - (D) is located at an organizational level and has an organizational status within the designated State agency comparable to that of other major organizational units of the designated State agency; and
 - (E) at a minimum, has the following responsibilities that cannot be delegated to any other agency or individual:
 - (i) all decisions affecting eligibility for vocational rehabilitation services, the nature and scope of available services, and the provision of services;
 - (ii) a determination that an individual has ended participation in the vocational rehabilitation program and achieved an employment outcome after receiving vocational rehabilitation services;
 - (iii) policy formulation and implementation; and
 - (iv) allocation and expenditure of vocational rehabilitation funds.

(2) The name of the designated State unit is Kentucky Office of Vocational Rehabilitation.

4.2 State independent commission or state rehabilitation council. (Sections 101(a)(21) and 105 of the Act; 34 CFR 361.16 and .17)

The State plan must contain one of the following two assurances.

- (a) _____ The designated State agency is an independent commission that:
- (1) is responsible under State law for operating, or overseeing the operation of, the vocational rehabilitation program in the State;
 - (2) is consumer-controlled by persons who:
 - (A) are individuals with physical or mental impairments that substantially limit major life activities; and
 - (B) represent individuals with a broad range of disabilities, unless the designated State unit under the direction of the commission is the State agency for individuals who are blind;
 - (3) includes family members, advocates, or other representatives, of individuals with mental impairments; and
 - (4) undertakes the functions set forth in section 105(c)(4) of the Act;
- or**
- (b) X The State has established a State Rehabilitation Council that meets the criteria set forth in section 105 of the Act and the designated State unit:
- (1) jointly with the Council develops, agrees to, and reviews annually State goals and priorities, and jointly submits annual reports of progress with the Council, consistent with the provisions of section 101(a)(15) of the Act and section 4.12 of this State plan;

EFFECTIVE DATE: July 1, 1999

- (2) regularly consults with the Council regarding the development, implementation, and revision of State policies and procedures of general applicability pertaining to the provision of vocational rehabilitation services;
- (3) includes in the State plan and in any revision to the State plan, a summary of input provided by the Council, including recommendations from the annual report of the Council, the review and analysis of consumer satisfaction, and other reports prepared by the Council, and the response of the designated State unit to such input and recommendations, including explanations for rejecting any input or recommendation; and
- (4) transmits to the Council:
 - (A) all plans, reports, and other information required under title I of the Act to be submitted to the Secretary;
 - (B) all policies and information on all practices and procedures of general applicability provided to or used by rehabilitation personnel in carrying out this State plan; and
 - (C) copies of due process hearing decisions issued under title I of the Act, which are transmitted in such a manner as to ensure that the identity of the participants in the hearings is kept confidential.
- (c) ***If the designated State unit has a State Rehabilitation Council, Attachment 4.2(c)*** provides a summary of the input provided by the Council consistent with the provisions identified in subparagraph (b)(3) of this subsection of the State plan, the response of the designated State unit to the input and recommendations, and explanations for the rejection of any input or any recommendation.

4.3 Consultations regarding the administration of the state plan. (Section 101(a)(16)(B) of the Act; 34 CFR 361.21(a))

The designated State agency takes into account, in connection with matters of general policy arising in the administration of the plan, the views of:

- (a) individuals and groups of individuals who are recipients of vocational rehabilitation services, or in appropriate cases, the individuals' representatives;

- (b) personnel working in programs that provide vocational rehabilitation services to individuals with disabilities;
- (c) providers of vocational rehabilitation services to individuals with disabilities;
- (d) the Director of the client assistance program; and
- (e) the State Rehabilitation Council, if the State has such a Council.

4.4 Non-federal share. (Section 101(a)(3) of the Act; 34 CFR 80.24 and 361.60(b))

The non-Federal share of the cost of carrying out this State plan is 21.3 percentum and it is provided through the financial participation by the State, or if the State elects, by the State and local agencies.

4.5 Local administration. (Section 101(a)(2)(A) of the Act; 34 CFR 361.15)

- (a) The State plan provides for local administration and each local agency is under the supervision of the designated State unit and is the sole local agency responsible for the administration of the program within the political subdivision that it serves.

Yes___ No X

- (b) ***IF YES, Attachment 4.5*** identifies each local agency and describes the methods each local agency uses to administer the vocational rehabilitation program in accordance with this State plan.

4.6 Statewideness and waivers of statewideness. (Sections 101(a)(2)(A) and (4)(A) of the Act; 34 CFR 361.25 and .26)

The State plan is in effect in all political subdivisions of the State, except in the case when:

- (a) The State unit is providing services in one or more political subdivisions of the State that increase services or expand the scope of services that are available statewide under this State plan and the:

- (1) non-Federal share of the cost of these services is met from funds provided by a local public agency, including funds contributed to a local public agency by a private agency, organization, or individual; and
- (2) services are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments.
- (3) If the State is providing services that meet the provisions of subparagraphs (a)(1) and (2) of this subsection, **Attachment 4.6(a)(3)** requests a waiver of statewideness in accordance with the requirements in 34 CFR 361.26(b); or
- (b) Earmarked funds are used toward the non-Federal share and such funds are earmarked for particular geographic areas within the State contingent on the State notifying the Commissioner that it cannot provide the full non-Federal share without the use of such earmarked funds.

4.7 Shared funding and administration of joint programs. (Section 101(a)(2)(A)(ii) of the Act; 34 CFR 361.27)

- (a) The designated State agency is carrying out a joint program involving shared funding and administrative responsibility with another State agency or a local public agency to provide services to individuals with disabilities.

Yes___ No X

- (b) *IF YES*, **Attachment 4.7(b)** describes the:

- (1) nature and scope of the joint program;
- (2) services to be provided;
- (3) respective roles of each participating agency in the provision of services and their administration; and
- (4) share of the costs to be assumed by each agency.

EFFECTIVE DATE: July 1, 1999

- (c) If the joint program provides services in one or more political subdivisions of the State, the State requests a waiver of statewideness in accordance with the provisions of 34 CFR 361.26 and subparagraph 4.6(a)(3) of this State plan subsection.

4.8 Third-party cooperative arrangements involving funds from other public agencies (Section 12 of the Act; 34 CFR 361.28)

- (a) The designated State unit has entered into a third-party cooperative arrangement for providing or administering vocational rehabilitation services with another State agency or a local public agency that is furnishing part or all of the non-Federal share.

Yes___ No X

(b) IF YES:

- (1) The services provided by the cooperating agency are not the customary or typical services provided by that agency but are new services that have a vocational rehabilitation focus or are existing services that have been modified, adapted, expanded, or reconfigured to have a vocational rehabilitation focus.
 - (2) The services provided by the cooperating agency are only available to applicants for, or recipients of, services from the designated State unit.
 - (3) Program expenditures and staff providing services under the cooperative arrangement are under the administrative supervision of the designated State unit.
 - (4) All State plan requirements, including the State's order of selection, if an order is in effect, apply to all services provided under the cooperative program.
- (c) If the third-party cooperative program provides services in one or more political subdivisions of the State, the State requests a waiver of statewideness in accordance with the provisions of 34 CFR 361.26 and subparagraph 4.6(a)(3) of this State plan.

4.9 Cooperation, collaboration, and coordination. (Sections 101(a)(11) of the Act; 34 CFR 361.22, .23 and .24)

(a) Cooperative agreements with other components of statewide workforce investment systems.

The designated State agency has cooperative agreements with other entities that are components of the statewide workforce investment system of the State in accordance with the provisions of section 101(a)(11)(A) of the Act.

(b) Replication of cooperative agreements.

The designated State agency replicates the cooperative agreement identified in paragraph (a) of this subsection of the State plan at the local level between individual offices of the designated State unit and local entities carrying out activities through the statewide workforce investment system.

(c) Interagency cooperation with other agencies and entities.

Attachment 4.9(c) describes the:

- (1)** interagency cooperation with, and utilization of the services and facilities of the Federal, State, and local agencies and programs, including programs carried out by the Under Secretary for Rural Development of the United States Department of Agriculture and State use contracting programs, to the extent that such agencies and programs are not carrying out activities through the statewide workforce investment system;
- (2)** coordination, consistent with the requirements of paragraph 4.9(d) of this subsection, with education officials to facilitate the transition of students with disabilities from school to the receipt of vocational rehabilitation services;
- (3)** manner in which the designated State agency establishes cooperative agreements with private non-profit vocational rehabilitation service providers, consistent with the requirements of paragraph 5.6(b) of the State plan; and,

- (4) efforts of the designated State agency to identify and make arrangements, including entering into cooperative agreements, with other State agencies and entities with respect to the provision of supported employment and extended services for individuals with the most significant disabilities, consistent with the requirements of subsection 7.5 of the supplement to this State plan.

(d) Coordination with education officials.

Plans, policies, and procedures for coordination between the designated State agency and education officials responsible for the public education of students with disabilities that are designed to facilitate the transition of the students who are individuals with disabilities from the receipt of educational services in school to the receipt of vocational rehabilitation services under this State plan are described in **Attachment 4.9(c)(2)** which also includes information on a formal interagency agreement with the State educational agency that, at a minimum, provides for:

- (1) consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
- (2) transition planning by personnel of the designated State agency and the educational agency for students with disabilities that facilitates the development and completion of their individualized education programs under section 614(d) of the Individuals with Disabilities Education Act;
- (3) the roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services; and
- (4) procedures for outreach to and identification of students with disabilities who need transition services.

(e) Coordination with statewide independent living council and independent living centers.

The designated State unit, the Statewide Independent Living Council established under section 705 of the Act, and the independent living centers described in part C of title VII of the Act within the State have developed working relationships and coordinate their activities.

(f) **Cooperative agreement with recipients of grants for services to American Indians.**

- (1) There is in the State a recipient(s) of a grant under part C of title I of the Act for the provision of vocational rehabilitation services for American Indians who are individuals with disabilities residing on or near Federal and State reservations.

Yes ___ No X

- (2) **IF YES**, the designated State agency has entered into a formal cooperative agreement with each grant recipient in the State that receives funds under part C of title I of the Act. The agreement(s) describes strategies for collaboration and coordination in providing vocational rehabilitation services to American Indians who are individuals with disabilities, including:

- (A) strategies for interagency referral and information sharing that assist in eligibility determinations and the development of individualized plans for employment;
- (B) procedures for ensuring that American Indians who are individuals with disabilities and who are living near a reservation or tribal service area are provided vocational rehabilitation services; and
- (C) provisions for sharing resources in cooperative studies and assessments, joint training activities, and other collaborative activities designed to improve the provision of services to American Indians who are individuals with disabilities.

(g) **Reciprocal referral services with a separate agency for individuals who are blind.**

In those States in which there is a separate designated State unit for individuals who are blind and also a designated State unit for all other individuals with disabilities, the two State units:

- (1) have established reciprocal referral services;
- (2) use each other's services and facilities to the extent feasible;

- (3) jointly plan activities to improve services in the State for individuals with multiple impairments, including visual impairments; and
- (4) otherwise cooperate to provide more effective services, including, if appropriate, entering into a written cooperative agreement.

4.10 Methods of administration. (Sections 101(a)(6) of the Act; 34 CFR 361.12, .19 and .51(a) and (c))

(a) General.

The State agency employs methods of administration found by the Commissioner to be necessary for the proper and efficient administration of this State plan.

(b) Employment of individuals with disabilities.

The designated State agency and entities carrying out community rehabilitation programs in the State, who are in receipt of assistance under title I of the Act, take affirmative action to employ and advance in employment qualified individuals with disabilities covered under and on the same terms and conditions as set forth in section 503 of the Act.

(c) Written standards for providers of services.

The designated State agency has established, maintains, makes available to the public, and implements written minimum standards for the various types of providers used by the designated State unit in providing vocational rehabilitation services under this State plan.

(d) Facilities.

Facilities used in connection with the delivery of services assisted under this State plan comply with the provisions of the Act entitled "An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped", approved on August 12, 1968 (commonly known as the "Architectural Barriers Act of 1968"), with section 504 of the Act and with the Americans with Disabilities Act of 1990.

4.11 Comprehensive system of personnel development. (Section 101(a)(7) of the Act; 34 CFR 361.18)

- (a) The designated State agency has implemented a comprehensive system of personnel development that meets the requirements of section 101(a)(7) of the Act and 34 CFR 361.18.
- (b) **Attachment 4.11(b)** describes the designated State agency's policies, procedures and activities to establish and maintain a comprehensive system of personnel development designed to ensure an adequate supply of qualified State rehabilitation professional and paraprofessional personnel for the designated State unit. The description addresses the following requirements:
 - (1) collection and analysis on an annual basis of data on qualified personnel needs and personnel development consistent with the provisions of 34 CFR 361.18(a);
 - (2) plan to address the current and projected needs for qualified personnel including the coordination and facilitation of efforts between the designated State unit and institutions of higher education and professional associations to recruit, prepare, and retain qualified personnel, including personnel from minority backgrounds, and personnel who are individuals with disabilities;
 - (3) establishment and maintenance of personnel standards meeting the requirements of 34 CFR 361.18(c) to ensure that personnel, including professionals and paraprofessionals, are adequately trained and prepared, including:
 - (A) standards that are consistent with any national or State-approved or recognized certification, licensing, registration, or, in the absence of these requirements, other comparable requirements that apply to the profession or discipline in which such personnel are providing vocational rehabilitation services; and

EFFECTIVE DATE: July 1, 1999

(B) to the extent that such standards are not based on the highest requirements in the State applicable to a particular profession or discipline, the steps the State is currently taking and the steps the State plans to take to retrain or hire personnel within the designated State unit so that such personnel meet standards that are based on the highest requirements in the State;

- (4) standards to ensure the availability of personnel within the designated State unit or other individuals who are, to the maximum extent feasible, trained to communicate in the native language or mode of communication of an applicant or eligible individual;
- (5) staff development to ensure that all personnel employed by the designated State unit receive appropriate and adequate training; and
- (6) coordination of its personnel development system with personnel development under the Individuals with Disabilities Education Act.

4.12 Annual state goals and reports of progress. (Sections 101(a)(15), 105(c)(2) and 625(b)(2) of the Act; 34 CFR 363.11(b))

(a) Assessments and estimates.

(1) **Attachment 4.12(a)** documents the results of a comprehensive, statewide assessment, jointly conducted by the designated State unit and the State Rehabilitation Council (if the State has such a Council) every 3 years, and:

- (A) describes the rehabilitation needs of individuals with disabilities residing within the State, particularly the vocational rehabilitation services needs of:
 - (i) individuals with the most significant disabilities, including their need for supported employment services;
 - (ii) individuals with disabilities who are minorities and individuals with disabilities who have been unserved or underserved by the vocational rehabilitation program carried out under this State plan; and
 - (iii) individuals with disabilities served through other components of the statewide workforce investment system, as identified by such individuals and personnel assisting such individuals through the components.

(B) provides an assessment of the need to establish, develop, or improve community rehabilitation programs within the State.

(2) For any year in which the State revises the assessments, the designated State unit submits to the Commissioner a report containing information regarding revisions to the assessments.

(b) Annual estimates.

The designated State agency annually submits **Attachment 4.12(b)** that includes, State estimates of the:

- (1) number of individuals in the State who are eligible for services under this State plan;
- (2) number of such individuals who will receive services provided with funds provided under part B of title I of the Act and under part B of title VI of the Act, including, if the designated State agency uses an order of selection in accordance with paragraph 6.4(c) of this State plan, estimates of the number of individuals to be served under each priority category within the order; and
- (3) costs of the services described in subparagraph (1), including, if the designated State agency uses an order of selection, the service costs for each priority category within the order.

(c) Goals and priorities.

- (1) **Attachment 4.12(c)(1)** identifies the goals and priorities of the State in carrying out the vocational rehabilitation and supported employment programs and also identifies any revisions in the goals and priorities for any year the State revises the goals and priorities.
- (2) **Order of selection.**

- (A) If the State agency is operating on an order of selection, **Attachment 4.12(c)(2)(A)** shows the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services and provides a justification for the order, the service and outcome goals, and the time within which these goals may be achieved for individuals in each priority category consistent with the provisions of paragraph 6.4(c) of this State plan.
- (B) If, however, the agency assures in paragraph 6.4(a) of this State plan that it can provide the full range of services identified in subsection 5.1 of this State plan to all eligible individuals, **Attachment 4.12(c)(2)(B)** satisfies all of the provisions identified in paragraph 6.4(b) of the State plan.

(3) Goals and plans for distribution of title VI, part B funds.

Attachment 4.12(c)(3) specifies, consistent with subsection 7.4 of the State plan supplement, the State's goals and priorities with respect to the distribution of funds received under section 622 of the Act for the provision of supported employment services.

(4) Basis.

The goals and priorities are based on:

- (A) the analysis of the comprehensive assessment and any revisions in the assessment consistent with the provisions of paragraph 4.12(a) of this State plan;
 - (B) the performance of the State on the standards and indicators established under section 106 of the Act; and
 - (C) other available information on the operation of the vocational rehabilitation and supported employment programs, including reports from the State Rehabilitation Council, if the State has a Council, and the findings of monitoring activities carried out by the Rehabilitation Services Administration.
- (5)** In accordance with the provisions of section 101(a)(15)(C)(ii) and (iii) of the Act, the goals and priorities, including any revisions to the goals and priorities, are jointly developed, agreed to, and reviewed annually by the designated State unit and the State Rehabilitation Council, if the State has such a Council.

(d) Strategies.

Attachment 4.12(d) describes the strategies, including those identified in section 101(a)(15)(D) of the Act and the innovation and expansion activities of paragraph 4.13(a) of this State plan, the designated State agency will use to:

- (1)** address the needs identified in the assessment conducted under paragraph (a) of this subsection and achieve the goals and priorities identified in paragraph (c) of this subsection;
- (2)** carryout outreach activities to identify and serve individuals with the most significant disabilities who are minorities consistent with the provisions of subsection 7.6 of the State plan supplement; and
- (3)** overcome identified barriers relating to equitable access to and participation of individuals with disabilities in the State Vocational Rehabilitation Services Program and State Supported Employment Services Program.

(e) Evaluation and reports of progress.

Attachment 4.12(e) describes the results of an evaluation of the effectiveness of the vocational rehabilitation program, and includes an annual joint report of the designated State unit and the State Rehabilitation Council, if the State has such a Council, to the Commissioner on the progress made in improving the effectiveness of the program from the previous year. The description includes:

- (1)** an evaluation of the extent to which the goals identified in subparagraph (c) of this subsection plan were achieved;
- (2)** an identification of the strategies that contributed to achieving the goals;
- (3)** to the extent to which the goals were not achieved, an explanation of the factors that impeded that achievement;
- (4)** an assessment of the performance of the State on the standards and indicators established pursuant to section 106 of the Act; and

- (5) a report consistent with paragraph 4.13(c) of this State plan on how the funds reserved for innovation and expansion activities were utilized in the preceding year.

4.13 Innovation and expansion. (Section 101(a)(18) of the Act)

- (a) The designated State agency reserves and uses a portion of the funds allotted to the State under section 110 of the Act:
 - (1) for the development and implementation of innovative approaches to expand and improve the provision of vocational rehabilitation services to individuals with disabilities under this State plan, particularly individuals with the most significant disabilities, consistent with the findings of the statewide assessment and goals and priorities of the State identified in paragraphs 4.12(a) and (c) of this State plan; and
 - (2) to support the funding of the State Rehabilitation Council, if the State has such a Council, consistent with the resource plan prepared under section 105(d)(1) of the Act, and the funding of the Statewide Independent Living Council, consistent with the resource plan prepared under section 705(e)(1) of the Act.
- (b) **Attachment 4.12(d)** describes how the reserved funds identified in paragraph (a) of this subsection of this State plan will be utilized.
- (c) **Attachment 4.12(e)** describes how the reserved funds were utilized in the preceding year.

4.14 State-imposed requirements. (Section 17 of the Act; 34 CFR 361.39)

The designated State unit identifies upon request those regulations and policies relating to the administration or operation of its vocational rehabilitation and supported employment programs that are State-imposed, including any regulations or policy based on State interpretation of any Federal law, regulations, or guidelines.

4.15 Protection, use, and release of personal information. (Sections 12(c) and 101(a)(6)(A) of the Act; 34 CFR 361.38)

The designated State agency and the designated State unit have policies and procedures that are consistent with the provisions in 34 CFR 361.38 to safeguard the confidentiality of all personal information, including photographs and lists of names.

4.16 Mediation and impartial due process hearing. (Section 102(c) of the Act)

(a) Fair hearing board.

There is a fair hearing board, established by the State prior to January 1, 1985, that is authorized under State law to review determinations or decisions made under the Act and to carry out the responsibilities of the impartial hearing officer.

Yes___ No X

(b) Mediation and review procedures.

IF THE ANSWER TO (a) IS "NO":

- (1) The designated State agency has established procedures consistent with the requirements of section 102(c) of the Act for mediation of and procedures for the review through an impartial due process hearing of determinations made by personnel of the designated State unit that affect the provision of vocational rehabilitation services to applicants or eligible individuals.
- (2) **Attachment 4.16(b)(2)** contains the procedures for mediation; the procedures for review through an impartial due process hearing; and, the procedures to seek an impartial review of the decision of the hearing officer, including the standards for reviewing decisions of an hearing officer, if the designated State agency has elected to implement such review procedures.

IF THE ANSWER TO (a) IS "YES":

- (1) The designated State agency has established procedures consistent with the requirements of section 102(c) of the Act for mediation of determinations made by personnel of the designated State unit that affect the provision of vocational rehabilitation services to applicants or eligible individuals.
- (2) **Attachment 4.16(b)(2)** contains the procedures for mediation.

4.17 Reports. (Section 101(a)(10) of the Act; 34 CFR 361.40)

- (a) The designated State unit submits reports in the form and level of detail and at the time required by the Commissioner regarding applicants for and eligible individuals receiving services under the State plan.
- (b) Information submitted in the reports provides a complete count, unless sampling techniques are used, of the applicants and eligible individuals in a manner that permits the greatest possible cross-classification of data and ensures the confidentiality of the identity of each individual.

SECTION 5: SCOPE OF THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM**5.1 Scope of vocational rehabilitation services for individuals with disabilities.** (Section 103(a) of the Act)

Vocational rehabilitation services provided under this State plan are any services described in an individualized plan for employment necessary to assist an individual with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual, including:

- (a) an assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

- (b) counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of section 102(d) of the Act and subsection 5.3 of this State plan;
- (c) referral and other services to secure needed services from other agencies through agreements developed under section 101(a)(11) of the Act and subsection 4.9 of this State plan, if such services are not available under this State plan;
- (d) job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
- (e) vocational and other training services, including the provision of personal and vocational adjustment services, books, tools, and other training materials, except that no training services provided at an institution of higher education shall be paid for with funds under this State plan unless maximum efforts have been made by the designated State unit and the individual to secure grant assistance, in whole or in part, from other sources to pay for such training;
- (f) to the extent that financial support is not readily available from a source (such as through health insurance of the individual or through comparable services and benefits consistent with section 101(a)(8)(A) of the Act and subsection 6.8 of this State plan), other than the designated State unit, diagnosis and treatment of physical and mental impairments, including:
 - (1) corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition that constitutes a substantial impediment to employment, but is of such a nature that such correction or modification may reasonably be expected to eliminate or reduce such impediment to employment within a reasonable length of time;
 - (2) necessary hospitalization in connection with surgery or treatment;
 - (3) prosthetic and orthotic devices;
 - (4) eyeglasses and visual services as prescribed by qualified personnel who meet State licensure laws and who are selected by the individual;

- (5) special services (including transplantation and dialysis), artificial kidneys, and supplies necessary for the treatment of individuals with end-stage renal disease; and
- (6) diagnosis and treatment for mental and emotional disorders by qualified personnel who meet State licensure laws;
- (g) maintenance for additional costs incurred while participating in an assessment for determining eligibility and vocational rehabilitation needs or while receiving services under an individualized plan for employment;
- (h) transportation, including adequate training in the use of public transportation vehicles and systems, that is provided in connection with the provision of any other service described in this subsection and needed by the individual to achieve an employment outcome;
- (i) on-the-job or other related personal assistance services provided while an individual is receiving other services described in this subsection;
- (j) interpreter services provided by qualified personnel for individuals who are deaf or hard of hearing, and reader services for individuals who are determined to be blind, after an examination by qualified personnel who meet State licensure laws;
- (k) rehabilitation teaching services, and orientation and mobility services, for individuals who are blind;
- (l) occupational licenses, tools, equipment, and initial stocks and supplies;
- (m) technical assistance and other consultation services to conduct market analyses, develop business plans, and otherwise provide resources, to the extent such resources are authorized to be provided under the statewide workforce investment system, to eligible individuals who are pursuing self-employment or telecommuting or establishing a small business operation as an employment outcome;
- (n) rehabilitation technology, including telecommunications, sensory, and other technological aids and devices;

- (o) transition services for students with disabilities that facilitate the achievement of the employment outcome identified in the individualized plan for employment;
- (p) supported employment services;
- (q) services to the family of an individual with a disability necessary to assist the individual to achieve an employment outcome; and
- (r) specific post-employment services necessary to assist an individual with a disability to retain, regain, or advance in employment.

5.2 Written policies governing the provision of services to individuals with disabilities.
(Sections 12(c) and 101(a)(6)(A) of the Act; 34 CFR 361.50)

- (a) The State unit has written policies covering the nature and scope of each of the vocational rehabilitation services specified in section 103(a) of the Act and subsection 5.1 of this State plan and the criteria under which each service is provided.
- (b) The policies are consistent with the provisions in 34 CFR 361.50 and:
 - (1) ensure that the provision of services is based on the rehabilitation needs of each individual as identified in that individual's individualized plan for employment; and
 - (2) do not establish any arbitrary limits on the nature and scope of services to be provided to the individual to achieve an employment outcome.

5.3 Opportunity to make informed choices regarding the selection of services and providers.
(Sections 101(a)(19) and 102(d) of the Act)

Applicants and eligible individuals, or, as appropriate, the applicants' representatives or the individuals' representatives, are provided information and support services to assist the applicants and eligible individuals in exercising informed choice throughout the rehabilitation process, consistent with the provisions of section 102(d) of the Act.

5.4 Services to American Indians. (Section 101(a)(13) of the Act)

Except as otherwise provided in part C of title I of the Act, the designated State unit provides vocational rehabilitation services to American Indians who are individuals with disabilities residing in the State to the same extent as the designated State agency provides such services to other significant populations of individuals with disabilities residing in the State.

5.5 Scope of vocational rehabilitation services to groups of individuals with disabilities.
(Sections 101(a)(17) and 103(b) of the Act; 34 CFR 361.49, .61 and .62)

(a) The State plan provides for the following optional vocational rehabilitation services for the benefit of groups of individuals with disabilities.

- (1) X The establishment, development, or improvement of community rehabilitation programs, including, under special circumstances, the construction of a community rehabilitation facility, that are used to provide services to promote integration and competitive employment.

If the State elects to use the authority to construct a facility for a community rehabilitation program, the following requirements are met:

- (A) The Federal share of the cost of construction for facilities for a fiscal year does not exceed an amount equal to 10 percent of the State's allotment under section 110 of the Act for that fiscal year.
- (B) The provisions of section 306 of the Act that were in effect prior to the enactment of the Rehabilitation Act Amendments of 1998 apply to such construction.
- (C) There is compliance with the requirements in 34 CFR 361.62(b) that ensure the use of the construction authority will not reduce the efforts of the designated State agency in providing other vocational rehabilitation services, other than the establishment of facilities for community rehabilitation programs.

- (2) X Telecommunications systems, including telephone, television, satellite, radio, and similar systems, that have the potential for substantially improving service delivery methods of activities described in this section of this State plan and developing appropriate programming to meet the particular needs of individuals with disabilities.
- (3) ___ Special services to provide nonvisual access to information for individuals who are blind, including the use of telecommunications, Braille, sound recordings, or other appropriate media; captioned television, films, or video cassettes for individuals who are deaf or hard of hearing; tactile materials for individuals who are deaf-blind; and other special services that provide information through tactile, vibratory, auditory, and visual media.
- (4) X Technical assistance and support services to businesses that are not subject to title I of the Americans with Disabilities Act of 1990 and that are seeking to employ individuals with disabilities.
- (5) ___ Small business enterprises operated by individuals with significant disabilities, the operation of which can be improved by the management services and supervision of the designated State agency, along or together with the acquisition by the designated State agency of vending facilities or other equipment and initial stocks and supplies.
- (A) If the State unit provides small business enterprise services, only individuals with significant disabilities are selected to participate in this supervised program.
- (B) If the State unit sets aside funds from the proceeds of the operation of the small business enterprises, it has a description of the methods used in setting aside funds and the purposes for which funds are set aside.
- (C) Under its small business enterprises, the State unit provides:
- (i) ___ only the Randolph-Sheppard Vending Facility Program;
- (ii) ___ only a program or programs other than the Randolph-Sheppard Vending Facility Program;
- (iii) ___ both the Randolph-Sheppard Vending Facility Program and another program(s).
- (6) X Consultative and technical assistance services to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.

- (7) X Other services that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized plan for employment of any one individual with a disability.
- (b) If the State plan provides for any of these services to groups of individuals with disabilities, the designated State unit
 - (1) written policies covering the nature and scope of each of the vocational rehabilitation services it provides and the criteria under which each service is provided; and
 - (2) information to ensure the proper and efficient administration of those services in the form and detail and at the time required by the Secretary, including:
 - (A) the types of services provided;
 - (B) the costs of those services; and
 - (C) to the extent feasible, estimates of the numbers of individuals benefiting from those services.

5.6 Contracts and cooperative agreements. (Section 101(a)(24) of the Act; 34 CFR 361.31 and .32)

(a) Contracts with for-profit organizations.

The designated State agency has the authority to enter into contracts with for-profit organizations for the purpose of providing, as vocational rehabilitation services, on-the-job training and related programs for individuals with disabilities under part A of title VI of the Act, upon the determination by the designated State agency that such for-profit organizations are better qualified to provide such vocational rehabilitation services than non-profit agencies and organizations.

(b) Cooperative agreements with private non-profit organizations.

The manner in which the designated State agency establishes cooperative agreements with private non-profit vocational rehabilitation service providers is described in **Attachment 4.9(c)(3)**.

SECTION 6: ADMINISTRATION OF THE PROVISION OF VOCATIONAL REHABILITATION SERVICES

6.1 Record of services. (Section 101(a)(6)(A) of the Act; 34 CFR 361.47)

The designated State unit maintains for each applicant or eligible individual a record of services that satisfies the requirements of 34 CFR 361.47.

6.2 Referrals and applications. (Sections 101(a)(6)(A) and 102(a)(6) of the Act; 34 CFR 361.41)

- (a)** The designated State unit has standards for the prompt and equitable handling of referrals of individuals for vocational rehabilitation services. These standards include timelines for making good faith efforts to inform individuals of application requirements and to gather information necessary to initiate an assessment to determine eligibility and priority of services.
- (b)** Once an individual has submitted an application for vocational rehabilitation services, an eligibility determination is made within a reasonable period of time, not to exceed 60 days, unless:

 - (1)** exceptional and unforeseen circumstances beyond the control of the designated State unit preclude making an eligibility determination within 60 days and the designated State unit and the individual agree to a specific extension of time; or
 - (2)** the designated State unit is exploring an individual's abilities, capabilities, and capacities to perform in work situations under section 102(a)(2)(B) of the Act.

6.3 Information and referral services. (Section 101(a)(20) of the Act)

The designated State agency has implemented an information and referral system that is adequate to ensure that individuals with disabilities are provided accurate vocational rehabilitation information and guidance, using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining, or regaining employment, and are appropriately referred to Federal and State programs, including other components of the statewide workforce investment system in the State.

6.4 Ability to serve all eligible individuals; order of selection for services. (Sections 12(d) and 101(a)(5) of the Act; 34 CFR 361.36)

- (a) The designated State unit is able to provide the full range of services listed in section 103(a) of the Act and subsection 5.1 of this State plan, as appropriate, to all eligible individuals with disabilities in the State who apply for services.

Yes___ No X

- (b) **IF YES**, Attachment 4.12(c)(2)(B) contains an explanation that satisfies the requirements of 34 CFR 361.36(a)(2) or (3) and describes how, on the basis of the designated State unit's projected fiscal and personnel resources and its assessment of the rehabilitation needs of individuals with significant disabilities within the State, it will:

- (1) continue to provide services to all individuals currently receiving services;
- (2) provide assessment services to all individuals expected to apply for services in the next fiscal year;
- (3) provide services to all individuals who are expected to be determined eligible in the next fiscal year; and
- (4) meet all program requirements.

- (c) **IF NO**:

- (1) Individuals with the most significant disabilities are selected for vocational rehabilitation services before other individuals with disabilities.

EFFECTIVE DATE: July 1, 1999

- (2) Attachment 4.12(c)(2)(A) contains:
 - (A) the order to be followed in selecting eligible individuals to be provided vocational rehabilitation services; and
 - (B) a justification for the order of selection.
- (3) Eligible individuals who do not meet the order of selection criteria are provided access to the services provided through the designated State unit's information and referral system implemented under section 101(a)(20) of the Act and subsection 6.3 of this State plan.

6.5 Assessment for determining eligibility and priority for services. (Sections 7(2)(A)(i) and (D), 7(20)(A), 101(a)(12) and 102(a)(1)(A), (2)(B) and (4) of the Act)

- (a) To determine whether an individual is eligible for vocational rehabilitation services and the individual's priority under an order of selection for services, if the State is operating under an order of selection, the designated State unit, to the maximum extent possible consistent with the requirements of this State plan, uses existing and current information, including information available from other programs and providers, particularly information provided by education officials and the Social Security Administration, and information provided by the applicant and the family of the applicant.
- (b) To the extent that existing information is unavailable or insufficient, the designated State unit provides appropriate assessment activities to obtain necessary additional information to make the determination regarding the applicant's eligibility, and, if applicable, the applicant's priority under an order of selection.
- (c) The State unit's determination of an applicant's eligibility for vocational rehabilitation services is based only on the following requirements.
 - (1) A determination that the applicant has a physical or mental impairment.
 - (2) A determination that the applicant's physical or mental impairment constitutes or results in a substantial impediment to employment.

- (3) A presumption, in accordance with section 102(a)(2)(A) of the Act and paragraph (d) of this subsection of the State plan, that the applicant can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.
 - (4) A determination that the applicant requires vocational rehabilitation services to prepare for, secure, retain, or regain employment.
- (d) The designated State unit presumes that an applicant who meets the eligibility requirements in subparagraphs (c)(1) and (c)(2) of this subsection of this State plan can benefit in terms of an employment outcome unless the designated State unit can demonstrate by clear and convincing evidence that the applicant is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the individual's disability. In making such a demonstration, the designated State unit first explores the individual's abilities, capabilities, and capacity to perform in work situations through the use of trial work experiences consistent with the provisions of sections 7(2)(D) and 102(a)(2)(B) of the Act.
- (e) If there is appropriate evidence that establishes the applicant's eligibility for Social Security benefits under Title II or Title XVI of the Social Security Act, the designated State unit:
 - (1) presumes the applicant to be eligible for vocational rehabilitation services under this State plan (provided that the individual intends to achieve an employment outcome consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual) unless the designated State unit can demonstrate by clear and convincing evidence that the applicant is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the disability of the individual in accordance with the provisions of section 102(a)(2) of the Act and paragraph 6.5(d) of this State plan; and
 - (2) considers the applicant to be an individual with a significant disability consistent with the provisions of section 7(21)(A) of the Act.
- (f) In the application of the eligibility criteria, the following requirements are met.
 - (1) No duration of residence requirement is imposed that excludes from services under the plan any individual who is present in the State.

- (2) No applicant or group of applicants is excluded or found ineligible solely on the basis of the type of disability.
- (3) The eligibility requirements are applied without regard to the age, gender, race, color, creed, or national origin of the applicant.
- (4) The eligibility requirements are applied without regard to the particular service needs or anticipated cost of services required by an applicant or the income level of an applicant or applicant's family.

6.6 Procedures for ineligibility determination. (Section 102(a)(5) of the Act; 34 CFR 361.43)

If the State unit determines that an applicant is ineligible for vocational rehabilitation services or determines that an individual receiving services under an individualized plan for employment is no longer eligible for services, the State unit:

- (a) makes the determination only after providing an opportunity for full consultation with the individual or, as appropriate, with the individual's representative;
- (b) informs the individual or, as appropriate, the individual's representative, in writing, supplemented as necessary by other appropriate modes of communication consistent with the informed choice of the individual, of the ineligibility determination, including:
 - (1) the reasons for the determination; and
 - (2) the description of the means by which the individual may express, and seek remedy for, any dissatisfaction with the determination, including the procedures for the review by an impartial hearing officer consistent with the provisions of section 102(c) of the Act and subsection 4.16 of this State plan;
- (c) provides the individual with a description of services available from the client assistance program and information on how to contact that program; and

(d) reviews any ineligibility determination that is based on a finding that the individual is incapable of benefiting in terms of an employment outcome from the provision of vocational rehabilitation services within 12 months and annually thereafter, if such a review is requested by the individual or, if appropriate, by the individual's representative, except when the:

- (1) individual has refused the review;
- (2) individual is no longer present in the State;
- (3) individual's whereabouts are unknown; or
- (4) individual's medical condition is rapidly progressive or terminal.

6.7 Closure without ineligibility determination. (Sections 12(c) and 101(a)(6)(A) of the Act; 34 CFR 361.44)

The State unit does not administratively close an applicant's record of services prior to making an eligibility determination unless the:

- (a) applicant declines to participate in, or is unavailable to complete an assessment for determining eligibility and priority for services; and
- (b) State unit has made a reasonable number of attempts to contact the applicant or, if appropriate, the applicant's representative to encourage the applicant's participation.

6.8 Availability of comparable services and benefits. (Sections 101(a)(8) and 103(a) of the Act; 34 CFR 361.53)

- (a) Prior to providing any vocational rehabilitation services, except those services identified in paragraph (d) of this subsection, to an eligible individual, or to members of the individual's family, the State unit determines whether comparable services and benefits exist under any other program and whether those services and benefits are available to the individual.

- (b) If comparable services or benefits exist under any other program and are available to the eligible individual at the time needed to achieve the provisions of the individual's individualized plan for employment, the State unit uses those comparable services or benefits to meet, in whole or in part, the cost of vocational rehabilitation services.
- (c) If comparable services or benefits exist under any other program, but are not available to the individual at the time needed to satisfy the provisions of the individual's individualized plan for employment, the State unit provides vocational rehabilitation services until those comparable services and benefits become available.
- (d) The following services are exempt from a determination of the availability of comparable services and benefits:
 - (1) assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;
 - (2) counseling and guidance, including information and support services to assist an individual in exercising informed choice consistent with the provisions of section 102(d) of the Act;
 - (3) referral and other services to secure needed services from other agencies through agreements developed under section 101(a)(11) of the Act, if such services are not available under this State plan;
 - (4) job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services;
 - (5) rehabilitation technology, including telecommunications, sensory, and other technological aids and devices; and
 - (6) post-employment services consisting of the services listed under subparagraphs (1) through (5) of this paragraph.
- (e) The requirements of paragraph (a) of this subsection also do not apply if the determination of the availability of comparable services and benefits under any other program would interrupt or delay:
 - (1) progress of the individual toward achieving the employment outcome identified in the individualized plan for employment;

- (2) an immediate job placement; or
- (3) provision of such service to any individual who is determined to be at extreme medical risk, based on medical evidence provided by an appropriate qualified medical professional.
- (f) The Governor of the State in consultation with the designated State vocational rehabilitation agency and other appropriate agencies ensures that there is an interagency agreement or other mechanism for interagency coordination that meets the requirements of section 101(a)(8)(B)(i)-(iv) of the Act between any appropriate public entity, including the State medicaid program, public institution of higher education, and a component of the statewide workforce investment system, and the designated State unit so as to ensure the provision of the vocational rehabilitation services identified in section 103(a) of the Act and subsection 5.1 of this State plan, other than the services identified in paragraph (d) of this subsection, that are included in the individualized plan for employment of an eligible individual, including the provision of such services during the pendency of any dispute that may arise in the implementation of the interagency agreement or other mechanism for interagency coordination.

6.9 Participation of individuals in cost of services based on financial need. (Section 12(c) of the Act; 34 CFR 361.54)

- (a) No financial needs test is applied and no financial participation is required as a condition for furnishing the following vocational rehabilitation services:
 - (1) assessment for determining eligibility and priority for services, except those non-assessment services that are provided during an exploration of the individual's abilities, capabilities, and capacity to perform in work situations, consistent with the requirements of sections 7(2)(D) and 102(a)(2)(B) of the Act;
 - (2) assessment for determining vocational rehabilitation needs;
 - (3) counseling and guidance, including information and support services to assist an individual in exercising informed choice;
 - (4) referral and other services to secure needed services from other agencies through cooperative agreements under section 101(a)(11) of the Act and subsection 4.9 of this State plan, if such services are not available under this State plan; and

- (5) job-related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services.
- (b) The State unit considers the financial need of eligible individuals, or individuals who are receiving services during an exploration of an individual's abilities, capabilities, and capacity to perform in work situations consistent with subparagraph (1) of paragraph (a) of this subsection, in order to determine the extent of the individual's participation in the costs of vocational rehabilitation services.

Yes X No

- (c) **IF YES:**
- (1) The State unit has written policies on the determination of financial need that are consistent with the provisions of 34 CFR 361.54 and these policies:
- (A) are applied uniformly to all individuals in similar circumstances; and
- (B) ensure that the level of the individual's participation in the cost of vocational rehabilitation services is:
- (i) reasonable;
- (ii) based on the individual's financial need, including the consideration of any disability-related expenses paid by the individual; and
- (iii) not so high as to effectively deny the individual a necessary service.
- (2) **Attachment 6.9(c)(2)** specifies the services for which the designated State unit has a financial needs test.

EFFECTIVE DATE: July 1, 1999

6.10 Development of the individualized plan for employment. (Sections 7(2)(B), 101(a)(9), and 102(b)(1) and (2) of the Act)

- (a) The designated State unit conducts an assessment to determine the vocational rehabilitation needs for each eligible individual, including the need for supported employment services, or, if the State is operating under an order of selection, for each eligible individual to whom the State is able to provide services, for the purpose of identifying the provisions to be included in the individualized plan for employment that meets the requirements of section 102(b) of the Act.
- (b) The development of the individualized plan for employment meets the following procedural requirements.
 - (1) The individualized plan for employment is developed and implemented in a timely manner subsequent to the determination of the eligibility of the individual for services under this State plan, except if the State is operating under an order of selection, the individualized plan for employment is developed and implemented only for individuals to whom the State is able to provide services.
 - (2) The designated State unit provides to the eligible individual or the individual's representative, in writing and in an appropriate mode of communication, information on the individual's options for the development of the individualized plan for employment, including:
 - (A) information on the availability of assistance, to the extent determined appropriate by the eligible individual, from a qualified vocational rehabilitation counselor in developing all or part of the individualized plan for employment for the individual, and the availability of technical assistance in developing all or part of the individualized plan for employment for the individual;
 - (B) a description of the full range of components that must be included in an individualized plan for employment;
 - (C) as appropriate,
 - (i) an explanation of agency guidelines and criteria associated with financial commitments concerning an individualized plan for employment;

- (ii) additional information the eligible individual requests or the designated State unit determines to be necessary; and
 - (iii) information on the availability of assistance in completing designated State agency forms required in developing an individualized plan for employment;
 - (D) a description of the rights and remedies available to the eligible individual, including, if appropriate, recourse to mediation and the impartial due process hearing consistent with the provisions of section 102(c) of the Act and subsection 4.16 of this State plan; and
 - (E) a description of the availability of the client assistance program and information about how to contact the program.
- (3) The individualized plan for employment is developed as a written document prepared on forms provided by the designated State unit and is developed and implemented in a manner that affords eligible individuals the opportunity to exercise informed choice in selecting an employment outcome, the specific vocational rehabilitation services to be provided under the plan, the entity that will provide the vocational rehabilitation services, the settings in which the services will be provided, the employment setting, and the methods used to procure the services consistent with the provisions of section 102(d) of the Act.
- (4) The individualized plan for employment is agreed to and signed by the eligible individual or, as appropriate, the individual's representative, and approved and signed by a qualified vocational rehabilitation counselor employed by the designated State unit with a copy of the individualized plan for employment provided to the individual or, as appropriate, to the individual's representative, in writing and, if appropriate, in the native language or mode of communication of the individual or, as appropriate, of the individual's representative.
- (5) The individualized plan for employment is reviewed at least annually by a qualified vocational rehabilitation counselor and the eligible individual or, as appropriate, the individual's representative and amended, as necessary, by the individual or, as appropriate, the individual's representative, in collaboration with a representative of the designated State agency or a qualified vocational rehabilitation counselor, as determined to be appropriate by the individual.

- (6) If there are substantive changes in the individualized plan for employment with respect to the employment outcome, the vocational rehabilitation services to be provided, or the providers of the services, such amendments to the individualized plan for employment do not take effect until agreed to and signed by the eligible individual or, as appropriate, the individual's representative, and by a qualified vocational rehabilitation counselor employed by the designated State unit.

6.11 Mandatory components of the individualized plan for employment. (Sections 101(a)(9), 102(b)(3), and 625(b)(6)(C),(E), and (F) of the Act)

- (a) Each individualized plan for employment includes, at a minimum, the following mandatory components describing the:
 - (1) specific employment outcome that is chosen by the eligible individual, consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the eligible individual, and, to the maximum extent appropriate, results in employment in an integrated setting;
 - (2) specific rehabilitation services that are:
 - (A) needed to achieve the employment outcome, including, as appropriate, the provision of assistive technology devices and assistive technology services, and personal assistance services, including training in the management of such services; and
 - (B) provided in the most integrated setting that is appropriate for the service involved and is consistent with the informed choice of the eligible individual;
 - (3) timelines for the achievement of the employment outcome and for the initiation of services;
 - (4) entity chosen by the eligible individual or, as appropriate, the individual's representative, that will provide the vocational rehabilitation services, and the methods used to procure the services;
 - (5) criteria to evaluate progress toward achievement of the employment outcome;

- (6) terms and conditions of the individualized plan for employment, including, as appropriate, information related to the:
 - (A) responsibilities of the designated State unit;
 - (B) responsibilities of the eligible individual, including those related to:
 - (i) the achievement of the employment outcome;
 - (ii) participation, if applicable, in the paying the costs of the plan; and
 - (iii) applying for and securing comparable benefits consistent with the requirements of section 101(a)(8) of the Act and subsection 6.8 of this State plan; and
 - (C) responsibilities of other entities as the result of arrangements made pursuant to comparable services or benefits requirements as identified in section 101(a)(8) of the Act and subsection 6.8 of this State plan; and
 - (7) projected need for post-employment services, as determined to be necessary.
- (b) The individualized plan for employment for individuals with the most significant disabilities for whom an employment outcome in a supported employment setting has been determined to be appropriate also contains the identification of the:
- (1) extended services needed by the eligible individual; and
 - (2) source of the extended services or, to the extent that the source of extended services cannot be identified at the time of the development of the individualized plan for employment, the basis for concluding that there is a reasonable expectation that extended services will become available.

6.12 Annual review of individuals in extended employment or other employment under special certificate provisions of the fair labor standards act of 1938. (Section 101(a)(14) of the Act)

- (a) The designated State unit:
- (1) conducts an annual review and reevaluation of the status of each individual with a disability served under this State plan who has achieved an employment outcome either in an extended employment setting in a community rehabilitation program or any other employment under section 14(c) of the Fair Labor Standards Act (29 U.S.C. 214(c)) for 2 years after the achievement of the outcome (and annually thereafter if requested by the individual or, if appropriate, the individual's representative), to determine the interests, priorities, and needs of the individual with respect to competitive employment or training for competitive employment; and
 - (2) makes maximum efforts, including the identification and provision of vocational rehabilitation services, reasonable accommodations, and other necessary support services, to assist the individuals described in subparagraph (a)(1) in engaging in competitive employment.
- (b) The individual with a disability, or, if appropriate, the individual's representative has input into the review and reevaluation, and acknowledges through sign-off that such review and reevaluation have been conducted.

STATE PLAN SUPPLEMENT FOR THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM**SECTION 7: PROGRAM ADMINISTRATION****7.1 Designated state agency.** (Section 625(b)(1) of the Act; 34 CFR 363.11(a))

The designated State agency for vocational rehabilitation services identified in subsection 1.2 of the title I State plan is the State agency designated to administer the State Supported Employment Services Program authorized under title VI, part B of the Act.

EFFECTIVE DATE: July 1, 1999

7.2 Statewide assessment of supported employment services needs. (Section 625(b)(2) of the Act; 34 CFR 363.11(b))

Attachment 4.12(a) describes the results of the comprehensive, statewide needs assessment conducted under section 101(a)(15)(a)(1) of the Act and subparagraph 4.12(a)(1) of the title I State plan with respect to the rehabilitation needs of individuals with significant disabilities and the need for supported employment services, including needs related to coordination.

7.3 Quality, scope, and extent of supported employment services. (Section 625(b)(3) of the Act; 34 CFR 363.11(c) and .50(b)(2))

Attachment 7.3 describes the quality, scope, and extent of supported employment services to be provided to individuals with the most significant disabilities who are eligible to receive supported employment services.

7.4 Goals and plans for distribution of title VI, part B funds. (Section 625(b)(3) of the Act; 34 CFR 363.11(d) and .20)

Attachment 4.12(c)(3) identifies the State's goals and plans with respect to the distribution of funds received under section 622 of the Act.

7.5 Evidence of collaboration with respect to supported employment services and extended services. (Sections 625(b)(4) and (5) of the Act; 34 CFR 363.11(e))

Attachment 4.9(c)(4) describes the efforts of the designated State agency to identify and make arrangements, including entering into cooperative agreements, with other State agencies and other appropriate entities to assist in the provision of supported employment services and other public or nonprofit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services.

7.6 Minority outreach. (34 CFR 363.11(f))

Attachment 4.12(d)(2) describes the designated State agency's outreach procedures for identifying and serving individuals with the most significant disabilities who are minorities.

7.7 Reports. (Sections 625(b)(8) and 626 of the Act; 34 CFR 363.11(h) and .52)

The designated State agency submits reports in such form and in accordance with such procedures as the Secretary may require and collects the information required by section 101(a)(10) of the Act separately for individuals receiving supported employment services under part B of title VI and individuals receiving supported employment services under title I of the Act.

SECTION 8: FINANCIAL ADMINISTRATION**8.1 Five percent limitation on administrative costs.** (Section 625(b)(7) of the Act; 34 CFR 363.11(g)(8))

The designated State agency expends no more than five percent of the State's allotment under section 622 of the Act for administrative costs in carrying out the State Supported Employment Services Program.

8.2 Use of funds in providing services. (Sections 623 and 625(b)(6)(A) and (D) of the Act; 34 CFR 363.6(c)(2)(iv), .11(g)(1) and (4))

- (a) Funds made available under title VI, part B of the Act are used by the designated State agency only to provide supported employment services to individuals with the most significant disabilities who are eligible to receive such services.
- (b) Funds provided under title VI, part B are used only to supplement, and not supplant, the funds provided under title I of the Act, in providing supported employment services specified in the individualized plan for employment.
- (c) Funds provided under part B of title VI or title I of the Act are not used to provide extended services to individuals who are eligible under part B of title VI or title I of the Act.

SECTION 9: PROVISION OF SUPPORTED EMPLOYMENT SERVICES**9.1 Scope of supported employment services.** (Sections 7(36) and 625(b)(6)(F) and (G) of the Act; 34 CFR 363.11(g)(6) and (7))

- (a) Supported employment services are those services as defined in section 7(36) of the Act.

- (b) To the extent job skills training is provided, the training is provided on-site.
- (c) Supported employment services include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of individuals with the most significant disabilities.

9.2 Comprehensive assessments of individuals with significant disabilities. (Section 625(b)(6)(B); 34 CFR 363.11(g)(2))

The comprehensive assessment of individuals with significant disabilities, including the assessment of rehabilitation, career, and employment needs, conducted under section 102(b)(1)(A) of the Act and paragraph 6.10(a) of this State plan and funded under title I of the Act includes consideration of supported employment as an appropriate employment outcome.

9.3 Individualized plan for employment. (Sections 102(b)(3)(F) and 625(b)(6)(C) and (E) of the Act; 34 CFR 363.11(g)(3) and (5))

- (a) An individualized plan for employment that meets the requirements of section 102(b) of the Act and subsections 6.10 and .11 of this State plan is developed and updated using funds under Title I.
- (b) The individualized plan for employment:
 - (1) specifies the supported employment services to be provided;
 - (2) describes the expected extended services needed; and
 - (3) identifies the source of extended services, including natural supports, or, to the extent that it is not possible to identify the source of extended services at the time the individualized plan for employment plan is developed, a statement describing the basis for concluding that there is a reasonable expectation that sources will become available.
- (c) Services provided under an individualized plan for employment are coordinated with services provided under other individualized plans established under other Federal or State programs.

ATTACHMENTS REQUIRED OF ALL AGENCIES

Attachment 4.9(c): Cooperation and Coordination with Other Agencies and Other Entities

- (1) Cooperation with Agencies That Are Not in the Statewide Workforce Investment System and with Other Entities
- (2) Coordination with Education Officials
- (3) Cooperative Agreements with Private Non-profit Vocational Rehabilitation Service Providers
- (4) Evidence of Collaboration Regarding Supported Employment Services and Extended Services

Attachment 4.11(b): Comprehensive System of Personnel Development

Attachment 4.12 Assessments; Estimates; Goals and Priorities; Strategies; and Progress Reports

- (a): Results of Comprehensive Statewide Assessment of the Rehabilitation Needs of Individuals with Disabilities and Need to Establish, Develop, or Improve Community Rehabilitation Programs
- (b): Annual Estimates of Individuals to Be Served and Costs of Services
- (c)(1): State's Goals and Priorities
- (c)(3): Goals and Plans for Distribution of Title VI, Part B Funds
- (d): State's Strategies and Use of Title I Funds for Innovation and Expansion Activities
 - (1) To Address Needs Identified in the Comprehensive Assessment and to Achieve Identified Goals and Priorities
 - (2) To Carryout Outreach Activities to Identify and Serve Individuals with the Most Significant Disabilities Who are Minorities
 - (3) To Overcome Identified Barriers Relating to Equitable Access to and Participation of Individuals with Disabilities in the State Vocational Rehabilitation Services Program and the State Supported Employment Services Program.

EFFECTIVE DATE: July 1, 1999

- (e): Evaluation and Report of Progress in Achieving Identified Goals and Priorities and Use Of Title I Funds for Innovation and Expansion Activities

Attachment 4.16(b)(2): Mediation and Impartial Due Process Hearing Procedures

Attachment 7.3: Quality, Scope, and Extent of Supported Employment Services

ATTACHMENTS CONTINGENT ON OPTIONS SELECTED

The following attachments identified by an "X" are also submitted as part of the State plan.

X **Attachment 4.2(c):** Summary of Input and Recommendations of the State Rehabilitation Council; Response of the Designated State Unit; and Explanations for Rejection of Input or Recommendations

 Attachment 4.5: Local Administration

 Attachment 4.6(a)(3): Request for Waiver of Statewideness

 Attachment 4.7(b): Shared Funding and Administration of Joint Program

X **Attachment 4.12(c)(2)(A):** Order of Selection

 Attachment 4.12(c)(2)(B): Explanation to Support the Decision Not to Establish an Order of Selection

Attachment 4.2(c): Summary of Input and Recommendations of the State Rehabilitation Council; Response of the Designated State Unit; and Explanations for Rejection of Input or Recommendations

The Statewide Council for Vocational Rehabilitation (SCVR) was established in May 1993 with appointments to the council by Executive Order of the Governor of the Commonwealth of Kentucky to meet requirements of the Rehabilitation Act of 1973, as amended by Public Law 105-220. The SCVR provides input and assists in developing goals and priorities for the Kentucky Office of Vocational Rehabilitation. The SCVR met with the Office staff and guests on June 13, 2005, September 12, 2005, December 12, 2005, and March 13, 2006. The following recommendations were made:

Related to Public Awareness and Advocacy

The SCVR continued its activities in supporting or opposing legislation regarding disability issues including state use law, supported employment funding, Ticket to Work, Medicare Part D, Medicaid Buy-In, and the Workforce Investment Act.

- The Office shares the SCVR's concerns and fully supports its efforts to educate legislators and impact legislation in support of full employment for individuals with disabilities. With support staff assistance, the SCVR sent numerous letters, attended meetings and gathered statistical data for stakeholders as part of its efforts to impact legislation and public knowledge of issues of interest to individuals with disabilities.

Related to National Emergency Evacuation Plans

The SCVR was very concerned about the lack of coordination following Hurricane Katrina to assure that the most vulnerable populations, including individuals with disabilities, had safe evacuation procedures available. The SCVR wrote numerous letters to appropriate government officials requesting that emergency evacuation plans be improved.

- The Office was very receptive to the SCVR concerns regarding this important issue and provided staff support to facilitate the communication of issues to the appropriate recipients.

Related to State Budget Restrictions and Their Impact on the Work of the SCVR

The SCVR expressed frustration that many of their ideas regarding marketing or partnerships with other providers are not brought to fruition, due to state purchasing, travel and spending restrictions. The SCVR recommended that the Office leadership meet with the SCVR leadership to discuss budget issues and develop a plan to meet SCVR objectives within state spending restrictions.

- The Office leadership agreed to meet with the SCVR chair and Executive Committee on this issue but the meeting has been delayed until new council appointments are made.

Elections for a SCVR chair and the executive committee have been delayed due to the minimal number of appointments by the Governor.

Related to Delay in Appointments to SCVR

The SCVR reported that its effectiveness had been significantly diminished due to the two-year delay by the Governor in making appointments to the Council. The SCVR urged the Office to take whatever means necessary to achieve the needed appointments.

- The Office shares the SCVR's frustration with the delay in appointments. At the March 13, 2006 meeting, Executive Director Smith was pleased to announce that eight appointments had been made and that it was her hope that the SCVR would be fully appointed by the September 2006 meeting. The Agency will continue to make frequent requests regarding the remaining council appointments. Additionally, Executive Director Smith requested that the positions specifically mandated by law, i.e. Workforce Investment Board representative, Statewide Independent Living Council representative, Client Assistance representative, etc. be appointed by title rather than by specific name so the Council work will not be as adversely effected by turn over in these position.

Related to Training of New Council Members

The SCVR recommended that new council members be trained at a separate time from the general SCVR meeting. They felt that by conducting the training and the meeting on consecutive dates, the new members become overwhelmed and are not equipped to fully participate in their first meeting.

- The Office agreed with the SCVR recommendation and conducted New Council training on May 8, 2006. Specific training topics included Order of Selection, Fiscal Concerns, Agency Organization, Laws and Regulations, Client Assistance Program, Eligibility, and Individualized Plans for Employment.

Related to Interagency Coordination

The SCVR recognized the need to strengthen partnerships among various state agencies, commissions, advocacy groups, and councils interested in the employment of individuals with disabilities. The SCVR approved the two-year plan submitted by the Interagency Coordinating Committee aimed at improving coordination and collaboration particularly in the areas of transition and supported employment.

- The Office strongly supports the SCVR's efforts in this area. The Agency provides staff support and meeting space for the Interagency Coordinating Council. Additionally, the Agency provided interpreters and alternative formats for various advocacy and public awareness events supported by the committee. Agency Staff provide ongoing training on Supported Employment and Transition initiatives across the state.

Related to Partnership Award

The SCVR recommended that an award be presented again in 2005-2006 to recognize an organization whose partnership with the Office of Vocational Rehabilitation has significantly improved the employment opportunities for Kentuckians with disabilities. The 2006 award recipient was the Henderson County School System for its superior provision of transition services and its dedication to hiring and promoting individuals with significant disabilities.

- The Office strongly supports this recommendation and believes that it selected a very deserving recipient for this award.

Related to Employer Recognition

The SCVR recommended that the Employer Recognition Dinner traditionally held to honor exceptional employers of individuals with disabilities in October not be conducted due to financial and travel restrictions across the state. Instead, the SCVR recommended that Executive Director Beth Smith travel across the state and present the awards at the worksites of the exceptional employers.

- The Office accepted the recommendation but was unable to follow through in a timely fashion due to State travel restrictions. The presentations were completed throughout the months of April and May 2006. Executive Director Smith visited each employer and presented the awards.

Related to Training Assistance

At the Office's request, the SCVR gave input into the economic need procedures regarding training assistance and purchases of hearing aids. After emphasizing that exceptions must be granted when warranted, SCVR recommended that the suggested changes be implemented.

- The Office is thankful that the SCVR is willing to make such a difficult stand in assisting the agency in assuring that expenditures are made in the most appropriate fashion to assist Kentuckians with disabilities achieve their employment objectives. The Council wanted to make sure that eligible individuals were aware that exceptions could be requested and made following Agency guidelines. To that end, the exception procedures were incorporated into the directions for the Training Worksheet utilized to determine the amount, if any, an eligible individual is to contribute to the cost of post-secondary training and to the Hearing Aid Financial Contribution worksheet.

Related to the Agency Strategic Plan

The entire SCVR and the Policy and Planning Committee, in particular, worked jointly throughout the year with the Agency to solicit public input and jointly develop and monitor

Agency's goals and priorities. The SCVR provided input and recommendations on the Agency's Strategic Plan.

- The Office noted the recommendations and incorporated them into the final version of the document. The revised document includes specific, measurable goals supported by the Council to effectively measure the Agency's progress toward stated goals.

Related to Consumer Satisfaction

The SCVR recommended that the Consumer Satisfaction Survey be shortened and that the financial savings realized be used to conduct focus groups to gather more targeted and pertinent information to improve services.

- The Office appreciates and agrees with the SCVR that more specific data is needed. With the input of the Council and various Office staff, the 2006 survey was shortened considerably and plans for focus groups are being developed.

The SCVR approved the University of Kentucky's request to utilize the longitudinal data gathered over the eight years that they conducted the Consumer Satisfaction Survey to develop a paper and submit it to professional journals.

- The Office agrees that the wealth of information gathered via the Consumer Satisfaction Survey may be of significant value to others in the field of rehabilitation and agree that the data may be used, following all pertinent laws and RSA guidelines, to develop a paper. Both the SCVR and the Office reserved the right to make a final decision once a draft is received.

The SCVR requested that the University of Kentucky conduct a qualitative review of anecdotal comments received in conjunction with the survey to discern trends and issues related to the Office of Vocational Rehabilitation.

- The University of Kentucky agreed to conduct this analysis free of charge and the Office is in full agreement with the SCVR regarding this important endeavor.

Related to SCVR Attendance at CSAVR, RSA, and NRA Events

The SCVR recommended that one representative of the Council attend the Fall and Spring CSAVR meetings, RSA training sessions whenever SRCs are invited and pertinent NRA events.

- The Office accepted the SCVR's recommendation and made funding and other assistance available for interested parties to participate throughout the year including the Fall and Spring CSAVR meetings, the Southeast Regional National Rehabilitation Association

Training Conference, APSE, NRA's Governmental Affairs Conference, and all Agency sponsored training events.

Related to the State Plan Update

The entire SCVR and the Policy and Planning Committee, in particular, worked jointly throughout the year with the Agency to solicit public input and jointly develop and monitor Agency's goals and priorities. At the March 13, 2006 SCVR meeting held in Lexington, KY, the Council was given opportunity to provide input into the draft attachments to the 2007 State Plan attachments. The Agency staff person responsible for the state plan reviewed each attachment and shared the changes from the previous year. After consideration, the SCVR voted to have the acting chairperson review the draft and recommend any changes on their behalf prior to mailing the attachments to RSA.

- The Agency accepted the SCVR's recommendation to have the acting chairperson approve the draft. The appropriate Agency staff submitted the draft to the SCVR acting chair for final approval. After receiving no additions or changes from the acting chair, the attachments were accepted by the Agency and submitted to RSA.
- At the request of RSA, changes to the state plan amendments were incorporated and shared with the SCVR acting chair on June 27, 2006. No changes from the acting chair were recommended; the attachments were accepted by the Agency and resubmitted to RSA.

Attachment 4.9 Cooperation, collaboration, and coordination

The Office is currently reviewing, revising and expanding cooperative agreements with agencies and entities such as community mental health agencies, the Veterans Administration, and community rehabilitation service providers. The Office has had long-standing relationships with many partners both within and without the workforce system in order to effectively identify eligible individuals with disabilities and to achieve the maximum success in assisting individuals with disabilities into successful employment outcomes. The extent of collaboration and partnerships is reflected throughout the Attachments to the State Plan for Vocational Rehabilitation. Current efforts are focused on building more effective partnerships and relationships with entities throughout the state who can support efforts to provide the most effective outreach to identify individuals with disabilities and to expand the employment opportunities for Kentuckians with disabilities.

The Office has been and will continue to be an active partner in One-Stop Career Centers throughout the state. The Office has also been working to develop a cooperative agreement with the Cabinet for Children and Families in order to assist individuals with disabilities who are receiving welfare benefits into economic self sufficiency and independence.

The Office also maximizes utilization of available Community Rehabilitation Programs to maximize successful employment outcomes for Office consumers. [See Attachment 4.12(a)]

Office programs to facilitate transition of students with disabilities [See Attachment 4.8] continue to be a priority. Current efforts are focused on updating cooperative agreements with the Department of Education, Office of Exceptional Children as well as with local educational entities. The Office is also working collaboratively with post-secondary educational entities throughout the state.

The Office also collaborates with the Kentucky Department of Mental Health/Mental Retardation (DMHMR), through fourteen (14) Community Mental Health/Mental Retardation Centers, for supported employment service provision to customers with the most significant disabilities. Office funds are utilized for initial services, such as job selection, job development, and stabilization services. Agreements are developed at the local level with service providers who utilize DMHMR funding as the primary source of long-term support. The Office is involved with the Kentucky Association of Persons in Supported Employment (KY APSE) and the Kentucky Disabilities Coalition (KDC) in active pursuit of additional funds for long-term support, as there is a significant shortage of these dollars. Collaborative efforts in this regard are also being developed with the Department of Medicaid Services (Supports for Community Living Waiver), the Medicaid used computer equipment for Waiver for Services for Individuals with Brain Injuries, and other local entities that have discretionary dollars available for supported employment services. [See Attachment 4.9(c)(4)]

The Office is a partner with the Kentucky Office for the Blind, Kentucky Industries for the Blind and the National Cristina Foundation in a program that collects used computers from

corporations and other entities and distributes them to economically disadvantaged individuals, individuals with disabilities and non-profit organizations. The Kentucky Industries for the Blind is the lead organization for the program in Kentucky, collecting the equipment, warehousing it and preparing it for distribution. The Office's role in this collaboration is to solicit donations when possible and to distribute appropriate equipment to Office consumers.

The Office also collaborates with the Kentucky Office for the Blind in the direct delivery of rehabilitation technology services. Like the Office, the Office for the Blind has regional rehabilitation technology coordinators. The coordinators from the two Offices assist each other in covering their respective regions. They call on each others particular areas of expertise to solve specific problems. The Office for the Blind has two rehabilitation engineers who are now at the disposal of the Office's Rehabilitation Technology Branch. The Office for the Blind is able to utilize the rehabilitation engineer at the University of Kentucky when necessary.

The Office continues to collaborate with the Kentucky Assistive Technology Service (KATS) Network. The KATS Network is the Tech Act project in Kentucky, one of the original nine in the nation. The Office collaborates with the KATS Network on staff and consumers.

The needs of the Office consumers require continuous efforts to review, revise and expand cooperative and collaborative efforts with other agencies and entities throughout Kentucky. The Office has established a team whose mission is to review and update all current cooperative agreements and to expand those agreements where possible. All branches of the Office are involved in expanding effective collaborative efforts to support the mission of the Office.

Attachment 4.9(c): Cooperation and Coordination with Other Agencies and Other Entities

(1) Cooperation with Agencies That Are Not in the Statewide Workforce Investment System and with Other Entities

The Office will assure that the Governor of the State, in consultation with other appropriate agencies will have in place interagency agreements or other mechanisms for interagency coordination between any appropriate public entity including the state Medicaid Program, a public institution of higher education and a component of the statewide workforce investment system. This will ensure the provision of vocational rehabilitation services described in subparagraph (A) other than those specified in paragraph (5) (D), and in paragraphs (1) through (4) and (14) of Section 103 (a) of the Rehabilitation Act Amendments of 1998, that are included in the individualized plan for employment of an eligible individual, including the provision of such vocational rehabilitation services during the duration of any dispute. Such agreements shall include the following:

- (i) A description of a method for defining the financial responsibility of a public entity for providing such services, and a provision stating the financial responsibility of such public entity for providing such services.
- (ii) Information specifying the conditions, terms, and procedures under which the Office shall be reimbursed by other public entities for providing such services.
- (iii) Information specifying procedures for resolving interagency disputes under the agreement.
- (iv) Information specifying policies and procedures for public entities to determine and identify the interagency coordination responsibilities of each public entity to promote the coordination and timely delivery of vocational rehabilitation services (except those services specified in paragraph (5)(D) and in paragraphs (1) through (4) and (14) of Section 103 (a) of the Act.

RESPONSIBILITIES OF OTHER PUBLIC ENTITIES

If any public entity other than the Office is obligated under Federal or State law, or assigned responsibility under State policy or under regulations set forth in the 1998 Amendments to the Act, to provide or pay for any services that are also considered to be vocational rehabilitation services (other than those specified in paragraph (5) (D) and in paragraphs (1) through (4) and (14) of Section 103 (a), such public entity shall fulfill that obligation or responsibility, either directly or by contract or other arrangement.

- 1. If a public entity other than the Office fails to provide or pay for the services for an eligible individual, the Office shall provide or pay for such services to the individual.

The Office may claim reimbursement for the services from the public entity that failed to provide or pay for such services. Such public entity shall reimburse the Office pursuant to the terms of the interagency agreement or other mechanism described in the Rehabilitation Act Amendments of 1998, according to the procedures established in such agreement or mechanism pursuant to the established conditions, terms and procedures of reimbursement.

2. Signed agreements between respective officials of the public entities that outline and identify the responsibilities of each public entity relating to the provision of services shall be in place.

COOPERATION WITHIN THE WORKFORCE INVESTMENT SYSTEM

When the Office enters into a cooperative agreement with another entity that is a component of the statewide workforce investment system of the state, the agreement may provide for the provision of inter-component staff training and technical assistance that may include, but is not limited to the following areas:

the availability of benefits of and information on eligibility standards for vocational rehabilitation services; and

- ii. the promotion of equal, effective, and meaningful participation by individuals with disabilities in workforce investment activities in the State through the promotion of program accessibility, the use of nondiscriminatory policies and procedures, and the provision of reasonable accommodations, auxiliary aids and services and rehabilitation technology for individuals with disabilities.

Said agreement may also provide for:

- (1) The use of information and financial management systems that link all components of the statewide workforce investment system, that link the components to other electronic networks, including non-visual electronic networks, and that relate to such subjects as employment statistics and information on job vacancies, career planning, and workforce investment activities.
- (2) The use of customer service features such as common intake and referral procedures, customer databases, resource information and human service hotlines.
- (3) The establishment of cooperative efforts with employers to facilitate job placement; and carry out any other activity that the Office and the employers determine to be appropriate.
- (4) The identification of staff roles, responsibilities, and available resources, and

specification of the financial responsibility of each component of the statewide workforce investment system with regard to paying for necessary services (consistent with State law and Federal requirements); and

- (5) Specification of procedures for resolving disputes among such components.

RECIPROCAL REFERRAL SERVICES WITH THE OFFICE FOR THE BLIND

The Office of Vocational Rehabilitation and the Office for the Blind have established reciprocal referral services, which allow for more efficient services to individuals with disabilities. The two agencies jointly plan activities to improve services in the State for individuals with multiple impairments, including individuals with dual sensory loss. A joint training was held in January 1999 to teach staff from both agencies concerns relating to individuals who have dual-sensory loss. Helen Keller National Center staff were present to conduct these sessions. The two Vocational Rehabilitation Agencies share space in the Charles McDowell Rehabilitation Center, Central Office and in many One-Stop Career Centers across the State.

KENTUCKY INITIATIVES FACILITATING COOPERATION

Kentucky is implementing several initiatives that will simplify access to information and services, cultivate community and state partnerships, focus on specific community needs, promote shared training and resources among agencies, provide service coordination, and deliver a comprehensive reporting feature in a consumer friendly system. An electronic data system that is to be implemented as part of the Workforce Investment Act (WIA) planning of Kentucky will improve common data collection on consumers with self-service functions including registration and assessment. A statewide directory of resources and services will be available on the Internet, with links to a geographic information system providing specific local points of services. Electronic connectivity among state agencies, educational institutions, military installations, economic development organizations and employers will increase access points, improve the quality of information for staff and consumers, and help provide workers for jobs and jobs for workers. Plans also include a virtual office telecommuting pilot project to enable data and information sharing.

The Office participates in a common intake and referral system established by the Kentucky State Initiative Simplified Access. Simplified Access allows consumers a single point of access to training and employment services administered by the Cabinet for Workforce Development under which the Office falls. The interagency agreement to share information allows consumers to sign a revocable release that permits relevant record sharing and use, in order to access potential service, determine program eligibility, and permit subsequent service plan development by service providers and case managers. Other features of Simplified Access are common intake for consumers, information sharing among programs, client tracking and a shared resource directory.

The Office has established relationships with other entities within the Workforce Investment System and has jointly developed the following programs:

1. The Office is an active partner in the twenty-two Labor Market Area One-Stop Centers throughout the state as part of the One-Stop Implementation grant.
2. The Office is currently developing a cooperative agreement with the Cabinet for Families and Children in order to facilitate identification and effective outreach to welfare recipients who are individuals with disabilities.
3. The Office has a grant through the Department of Adult Education and Literacy to provide testing and other educational opportunities for adults at the Carl D. Perkins Comprehensive Rehabilitation Center. Perkins Center also has a cooperative agreement with the American Council on Education to provide the External Diploma Program for adults at the Center.

The Office is currently reviewing, revising and expanding cooperative agreements with agencies and entities within the workforce system and other appropriate agencies including the Department of Juvenile Justice, the Veterans Administration, and community mental health centers. Efforts to expand partnerships and enhance cooperative efforts will continue in order to support the most effective outreach to identify individuals with disabilities and to expand employment opportunities for Kentuckians with disabilities.

The Office has participated with the Office for the Blind and the Department for Workforce Investment to establish electronic networks linking employment and employer information together, and establishing an internet system whereby consumers can post resumes and employers can access job seekers through this network system.

The Kentucky Telelinking Network provides the infrastructure for the delivery of interactive television classrooms and video-conferencing capability. This fiber-optic network links universities, community colleges, public schools, agencies, and libraries in the state. Centralized data collection and information access is possible through a mainframe computer housed by the Department of Information Systems.

The Office will continue to establish cooperative efforts with employers to facilitate job placement and carry out any other activity that the Office and Statewide Council for Vocational Rehabilitation determine to be appropriate.

The Office will identify and delineate staff roles, responsibilities and available resources and specification of the financial responsibility of each component of the statewide workforce investment system with regard to paying for the necessary services that are consistent with State law and Federal requirements. The Office will specify procedures for resolving disputes

among such components.

The Office shall provide for the development of cooperative agreements at local levels between individual offices of the Office and local entities carrying out activities through the statewide workforce investment system.

The Office participates in all local area One-Stop Centers. Other programs that are currently involved in these Centers are the Department for Employment Services, Unemployment Insurance, Migrant and Seasonal, and Veteran's Services. In some Centers there are full-service Adult Learning Labs. Involvement from other agencies include Older Americans Act agencies, Education and Training Institutions, Adult Dislocated Workers and Youth Services. With the implementation of the Workforce Investment Act, it is anticipated that there will be collaboration, cooperation and commitment to these Centers by all partners.

INFORMATION AND REFERRAL ASSURANCE

The Office will implement an information and referral system to ensure that individuals who have disabilities will be provided accurate vocational rehabilitation information and guidance using appropriate modes of communication, to assist such individuals in preparing for, securing, retaining, or regaining employment. The Office will assure the referral of these individuals to other appropriate Federal and State programs if it is unable to serve them.

Appropriate referrals made through the system shall be to the Federal, State or local programs, including programs carried out by other components of the statewide workforce investment system in Kentucky that are best suited to address the specific employment needs of an individual with a disability. Referral for each of these programs will include provision to the individual of the following:

1. a notice of the referral by the designated State agency to the agency carrying out the program;
2. information identifying a specific point of contact within the agency carrying out the program; and
3. information and advice regarding the most suitable services to assist the individual to prepare for, secure, retain, or regain employment.

All applicants and eligible individuals or, as appropriate, the applicants' representatives or individuals' representatives, will be provided information and support services to assist the applicants and individuals in exercising informed choice throughout the rehabilitation process, consistent with Section 102(d) of the Rehabilitation Act Amendments of 1998. A Client Assistance Program is available for additional assistance and advocacy during the entire rehabilitation process.

(2) Coordination with Education Officials

1. The Office participates with the Kentucky Department of Education and other state agencies on the Kentucky Interagency Executive Transition Council. The Council's agreement, entitled "The Kentucky Interagency Agreement on Transition Services" provides for a statewide system of coordination among agencies in the delivery of transition services. This coordination is designed to facilitate the transition of students with disabilities from the receipt of educational services in school, to the receipt of vocational rehabilitation services including provisions for:
 - (i) consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;
 - (ii) transition planning by Office staff and staff from the educational institution for students with disabilities that facilitates the development and completion of their individualized education programs;
 - (iii) the roles and responsibilities, including financial responsibilities of each agency, and including provisions for determining State lead agencies and qualified personnel responsible for transition services; and
 - (iv) procedures for outreach to and identification of students with disabilities who need the transition services.
2. All Kentucky school systems have a counselor assigned by the Office to serve students with disabilities within that system. The interagency cooperative agreement designates the Department of Education and the Office of Vocational Rehabilitation as lead agencies. For the purposes of the transition grant signed in 1992, the lead agency is the Department of Education. All Office cooperative efforts are evaluated yearly. Two rehabilitation administrators are responsible on a part-time basis for the Office's transition initiatives. Efforts to follow-up and evaluate the success of youth in transition are included as an element of the Individualized Career Plan.
3. Counselors schedule regular visits to their assigned school districts to accept referrals. In addition, many counselors conduct annual surveys of students to identify students with disabilities who require rehabilitation services in order to successfully transition from school to work. Counselors also participate in "transition fairs" targeting parents and consumers in order to increase awareness of transitioning services and programs. Counselors in some areas of the state are members of the local "Committee for Kids," a community effort to identify youth most at risk (many of whom have disabilities) and design services to meet student/consumer needs.
4. Vocational rehabilitation services are provided to all school systems though general rehabilitation counselors assigned responsibility to serve students with disabilities in the

local districts. The districts and the rehabilitation counselors have jointly developed referral systems to assure that students not receiving special education services are informed about available rehabilitation services. Students with disabilities are most often identified through widely administered screening instruments or referred directly by school counselors or teachers.

5. The Office has cooperative professional development programs for selected high school education teachers, local directors of special education, job coaches, rehabilitation counselors, and community based personnel who serve students with disabilities. Training focuses on development and implementation of community-based work transition services for students with disabilities.
6. The Office is in the process of appointing a representative from the Office of Exceptional Children to the Statewide Council for Vocational Rehabilitation (SCVR).

(3) Cooperative Agreements with Private Non-profit Vocational Rehabilitation Service Providers

The Office maintains agreements with providers of private, non-profit vocational rehabilitation service providers to support achievement of successful competitive employment outcomes for individuals with disabilities. The Office works with Community Rehabilitation Providers (CRPs) through a vendor application process to ensure quality services to Office consumers. The Office currently works with over 30 CRPs providing services resulting in competitive employment outcomes and over 50 CRPs providing services resulting in supported employment outcomes. Other cooperative agreements with private, non-profit Vocational Rehabilitation Service Providers will be made as necessary.

(4) Evidence of Collaboration Regarding Supported Employment Services and Extended Services

1. All of Kentucky's fourteen Regional Mental Health/Mental Retardation Boards have dollars budgeted for supported employment extended services, although in some regions funding is very limited. The fourteen Boards currently allocate approximately 6 million dollars to work/adult habilitation programs (generally segregated programs) and only 2.1 million dollars to supported employment. Efforts to make available additional monies for supported employment services through these Boards will continue. Cooperative budget planning is done between the Office of Vocational Rehabilitation and the Kentucky Department of Mental Health/Mental Retardation so that monies for all phases of supported employment (initial job development, training, and extended services) can be sought by each agency.
2. Using block-grant funds from the Kentucky Department of Mental Health/Mental Retardation Services (KDMHMRS), the Office will assist a minimum of twenty persons with long-term mental illness in the provision of extended supported employment services on a contractual basis. Supported employment service providers who are approved by the

KDMHMRS and have vendorship agreements with the Office of Vocational Rehabilitation will deliver these services. In this way, both agencies will continue to expand the commitment to the ongoing nature of supported employment services. This venture is in addition to services provided under the outcome-based Supported Employment Reimbursement program. Additionally, KDMHMRS spends roughly \$325,000 to serve individuals with mental illness in supported employment. Largely these dollars follow Office of Vocational Rehabilitation dollars for eligible customers.

3. United Way monies have been utilized for supported employment services by several programs in Kentucky. Ongoing follow-up services are provided through United Way monies in at least fifteen programs and efforts will continue to encourage utilization of these funds in other areas of Kentucky. These monies are generally not "disability specific" and could assist in expansion of services to groups other than those served by the 14 community mental health centers. Most programs receive only small amounts of United Way dollars, representing a very small portion of the overall budget.
4. Vendorship in the Office of Vocational Rehabilitation's Supported Employment Outcome-based Reimbursement program requires written and verbal verification of the provider's funding for ongoing support services once Title VI, Part C monies are no longer appropriate. Monitoring and technical assistance is provided by the Supported Employment Branch to assure that services are provided and funded appropriately.
5. The Office of Vocational Rehabilitation Supported Employment Branch collaborated with the Kentucky Developmental Disabilities Council in their efforts to effectively convert two day habilitation programs to supported employment during 1995-1998. The two projects are in Harrison County and Bullitt County. Office outcome-based supported employment services funds are now used and these programs have exhausted applicable Developmental Disabilities Council funds for the pilot project. Local MH/MR Boards are also collaborating with the Office in these counties.
6. The Supported Employment Branch staff will work closely with Kentucky APSE (Association for Persons in Supported Employment) and its committees and the Kentucky Disabilities Coalition in a unified effort to secure additional state dollars.
7. Supported Employment Branch staff are working cooperatively with staff who administer Kentucky's Home and Community Based Medicaid waiver to determine a workable system for coordinating supported employment services for eligible participants. With the "de-institutionalization criteria" removed, this funding source should open up doors of opportunity to many more Kentuckians with most significant disabilities. Expansion of the supports for Community Living Waiver has resulted in increased referrals to DVR for supported employment from these providers.
8. The Supported Employment Branch will continue to work cooperatively with The Arc of Kentucky to educate families about supported employment and enlist their assistance in

impacting additional funds for supported employment.

9. DVR will continue to advocate for expanded/improved Supported Living services, which are utilized by many supported employment participants to meet their needs for as independent a lifestyle as possible.
10. The Office of Vocational Rehabilitation will continue to work collaboratively with the Department of Mental Health/Mental Retardation, the Kentucky Developmental Disabilities Council, the Interdisciplinary Human Development Institute (University of Kentucky), and The Arc of Kentucky to provide quality training on fundamentals of supported employment. In the absence of a certification process for supported employment service providers, this training is valuable in assuring that personnel who provide supported employment services have the necessary skills, values, and tools to deliver effective services.
11. The Office of Special Instructional Services in the Kentucky Department of Education and the Office of Vocational Rehabilitation are collaborating in the provision of transition services (school-to-work) for individuals with disabilities. Many of these school-to-work transition programs coordinate with existing supported employment programs. A federal grant was also received in 1993 to expand school-to-work programs in Kentucky, and these efforts continue. The Supported Employment Branch staff participates frequently in IEP and Transition Planning meetings for individuals, and in broader scope with Special Education planning units throughout the Commonwealth to develop supported employment services for students exiting schools. Again, additional dollars will be needed for extended services in order to adequately serve the students.
12. In one region of Kentucky, Kentucky Tech System dollars are utilized for an individualized placement model of supported employment. A combination of funds from KY Tech and the Office, coupled with individually designed/funded extended services and supports makes this program successful for individuals with the most significant disabilities who can benefit from vocational training and ongoing support. The Office will continue attempts to expand use of this resource to other areas of Kentucky.
13. The Office will continue efforts to utilize Social Security Work Incentives, including PASS (Plan for Achieving Self-Support) and IRWE (Impairment Related Work Expenses), for ongoing support services when appropriate. During FY 95, there was a significant increase in the number of PASSes and IRWES used for supported employment services. These numbers leveled off with new requirements and scrutiny of PASSes prior to approval. At least three training opportunities per year are offered by the Supported Employment Branch to provide technical assistance for supported employment personnel to learn about these two work incentive programs.
14. The Office has developed a Supported Employment Data Management Information

System which collects data from Kentucky's supported employment providers. The information is being shared with other state agencies on a regular basis so that wages, job retention, quality and length of extended services, etc., can be evaluated by all collaborating agencies. This data is also shared with legislative committees to demonstrate the need for dollars for extended services.

15. The Office's Supported Employment Branch is assisting "non Mental Heath/Mental Retardation Center affiliates" who provide supported employment services but have not had access to extended service funding through the 14 regional MH/MR Boards in obtaining access to these dollars for individuals they serve in supported employment.
16. The Kentucky Developmental Disabilities Council is funding a demonstration project for individuals with autism who need supported employment. Office staff are involved in planning and implementation of this project which is administered by the Kentucky Autism Training Center.
17. In summary, the following potential funding sources for supported employment have been identified:

Local and county governments
Kentucky Developmental Disabilities Council
Office of Vocational Rehabilitation
United Way
Social Security Work Incentives-Plan for Achieving Self-Support (PASS) and
Impairment Related Work Expenses (IRWE)
Natural Supports
Division of Mental Health (Cabinet for Health Services)
Division of Mental Retardation (Cabinet for Health Services)
Supported Living Funds
Private pay agreements
Support for Community Living Waiver (Medicaid Waiver)

Information regarding these potential funding sources is updated and shared by the Supported Employment Branch on a statewide basis to encourage increased funding for all phases of supported employment.

Attachment 4.9(c)(4): Evidence of Collaboration Regarding Supported Employment Services and Extended Services

1. All of Kentucky's fourteen Regional Mental Health/Mental Retardation Boards have dollars budgeted for supported employment extended services, although in some regions funding is very limited. The fourteen Boards currently allocate approximately 6 million dollars to work/adult habilitation programs (generally segregated programs) and only 2.1 million dollars to supported employment. Efforts to make available additional monies for supported employment services through these Boards will continue. Cooperative budget planning is done between the Office of Vocational Rehabilitation and the Kentucky Department of Mental Health/Mental Retardation so that monies for all phases of supported employment (initial job development, training, and extended services) can be sought by each agency.
2. Using block-grant funds from the Kentucky Department of Mental Health/Mental Retardation, the Office will assist a minimum of twenty persons with long-term mental illness in the provision of extended supported employment services on a contractual basis. Supported employment service providers who are approved by the Department of Mental Health and have vendorship agreements with the Office of Vocational Rehabilitation will deliver these services. In this way, both agencies will continue to expand the commitment to the ongoing nature of supported employment services. This venture is in addition to services provided under the outcome-based Supported Employment Reimbursement program. Additionally, DMH spends roughly \$325,000 to serve individuals with mental illness in supported employment. Largely these dollars follow DVR dollars for eligible consumers.
3. United Way monies have been utilized for supported employment services by several programs in Kentucky. Ongoing follow-up services are provided through United Way monies in at least fifteen programs and efforts will continue to encourage utilization of these funds in other areas of Kentucky. These monies are generally not "disability specific" and could assist in expansion of services to groups other than those served by the 14 community mental health centers. Most programs receive only small amounts of United way dollars, representing a vary small portion of the overall budget.
4. Vendorship in the Office of Vocational Rehabilitation Supported Employment Outcome-based Reimbursement program requires written and verbal verification of the provider's funding for ongoing support services once the Title VI, Part C monies are no longer appropriate. Monitoring and technical assistance is provided by the Supported Employment Branch to assure that services are provided and funded appropriately.
5. The Office of Vocational Rehabilitation Supported Employment Branch collaborated with the Kentucky Developmental Disabilities Council in their efforts to effectively convert two day habilitation programs to supported employment during 1995-1998. The

two projects are in Harrison County and Bullitt County. DVR outcome-based supported employment services funds are now used and these programs have exhausted applicable DD funds for the pilot project. Local MH/MR Boards are also collaborating with DVR in these counties.

6. The Supported Employment Branch staff will work closely with Kentucky APSE (Association for Persons in Supported Employment) and its committees and the Kentucky Disabilities Coalition in a unified effort to secure additional state dollars.
7. Supported Employment Branch staff are working cooperatively with staff who administer Kentucky's Home and Community Based Medicaid waiver to determine a workable system for coordinating supported employment services for eligible participants. With the "de-institutionalization criteria" removed, this funding source should open up doors of opportunity to many more Kentuckians with most severe disabilities. Expansion of the supports for Community Living Waiver has resulted in increased referrals to DVR for supported employment from these providers.
8. The Supported Employment Branch will continue to work cooperatively with the Arc of Kentucky to educate families about supported employment and enlist their assistance in impacting additional funds for supported employment.
9. DVR will continue to advocate for expanded/improved Supported Living services, which are utilized by many supported employment participants to meet their needs for as independent a lifestyle as possible.
10. The Office of Vocational Rehabilitation will continue to work collaboratively with the Department of Mental Health/Mental Retardation, the Kentucky Developmental Disabilities Council, IHDI (University of Kentucky), and the Arc of Kentucky to provide quality training on fundamentals of supported employment. In the absence of a certification process for supported employment service providers, this training is valuable in assuring that personnel who provide supported employment services have the necessary skills, values, and tools to deliver effective services.
11. The Office of Special Instructional Services in the Kentucky Department of Education and the Office of Vocational Rehabilitation are collaborating in the provision of transition services (school-to-work) for individuals with disabilities. Many of these school-to-work transition programs coordinate with existing supported employment programs. A federal grant was also received in 1993 to expand school-to-work programs in Kentucky, and these efforts continue. The Supported Employment Branch staff participates frequently in IEP and Transition Planning meeting for individuals, and in broader scope with Special Education planning units throughout the commonwealth to develop supported employment services for students exiting schools. Again, additional dollars will be needed for extended services in order to adequately serve the students.

12. In one region of Kentucky, Kentucky Tech System dollars are utilized for an individualized placement model of supported employment. A combination of funds from KY Tech and DVR, coupled with individually designed/funded extended services and supports makes this program successful for individuals with the most severe disabilities who can benefit from vocational training, and ongoing support. The Office will continue attempts to expand use of this resource to other areas of Kentucky.
13. The Office will continue efforts to utilize Social Security Work Incentives, including PASS (Plan for Achieving Self-Support) and IRWE (Impairment Related Work Expenses), for ongoing support services when appropriate. During FY 95, there was a significant increase in the number of PASSes and IWRES used for supported employment services. These numbers leveled off with new requirements and scrutiny of PASSes prior to approval. At least three training opportunities per year are offered by the Supported Employment Branch to provide technical assistance for supported employment personnel to learn about these two work incentive programs.
14. The Office has developed a supported employment Data Management Information System which collects data from Kentucky's supported employment providers. The information is being shared with other state agencies on a regular basis so that wages, job retention, quality and length of extended services, etc., can be evaluated by all collaborating agencies. This data is also shared with legislative committees to demonstrate the need for dollars for extended services.
15. The DVR Supported Employment Branch is assisting "non Mental Health/Mental Retardation Center affiliates" who provide supported employment services but have not had access to extended service funding through the 14 regional MH/MR Boards in obtaining access to these dollars for individuals they serve in supported employment.
16. The Kentucky Developmental Disability Council is funding a demonstration project for individuals with autism who need supported employment. Office staff are involved in planning and implementation of this project which is administered by the Kentucky Autism Training Center.
17. In summary, the following potential funding sources for supported employment have been identified:
 - Local and county government
 - Kentucky Developmental Disabilities Council
 - Office of Vocational Rehabilitation
 - United Way
 - Social Security Work Incentives – Plan for Achieving Self-Support (PASS) and Impairment Related Work Expenses (IRWE)

- Natural Supports
- Division of Mental Health (Cabinet for Health Services)
- Division of Mental Retardation (Cabinet for Health Services)
- Supported Living Funds
- Private pay agreements
- Support for Community Living Waiver (Medicaid Waiver)

Information regarding these potential funding sources is updated and shared by the Supported Employment Branch on a statewide basis to encourage increased funding for all phases of supported employment.

Attachment 4.11(b): Comprehensive System of Personnel Development

Data System

The Kentucky Office of Vocational Rehabilitation maintains a system to collect and analyze on an annual basis data on qualified personnel needs and personnel development. The office maintains databases of personnel information including: types of position, ratio of personnel to applicants and eligible individuals served, current staffing requirements and projected requirements for staffing needs for the next five (5) years. The system also includes a record of employee career development plans that reflect completed training activities including college credits, Certified Rehabilitation Counselor credits, Professional Rehabilitation Assistant credits and continuing education contact hours.

The following charts indicate the type of positions with the number currently employed, how many are vacant in each position, and the projected five-year need. The first chart highlights field services and the administrative staff that support them and the second highlights the Carl D. Perkins Comprehensive Rehabilitation Center as their job roles differ from those within the field.

Division of Program Services and Administrative Services

<u>Job Title</u>	Currently Employed	Current Vacancies	Projected 5 year need
Unclassified	4	0	2
Rehabilitation Administrator	35	0	16
Rehabilitation Counselor	140	8	23
Rehabilitation Assistant	95	14	17
Job Placement Professional/PACE	22	2	2
Sign Language Interpreter	4	0	0
Rehabilitation Technologist	2	2	3
Rehabilitation Engineer	1	1	1
Rehabilitation Evaluator	3	0	3
Supported Employment	3	0	0
Financial Operations Staff	2	0	0
Other	2	0	0

Carl D. Perkins Comprehensive Rehabilitation Center

<u>Job Title</u>	Currently Employed	Current Vacancies	Projected 5 year need
Unclassified	1	0	0
Administrators	10	1	3
Assistants	12	3	7
Financial Operations Staff	2	0	0
Physical Plant Staff	12	2	2
Dorm Staff/PACE	8	1	2

Security	6	1	1
Case Managers	6	0	2
Recreation Staff	6	2	1
Nursing Staff	15	0	3
Therapeutic Staff	9	2	2
Vocational Training Staff/Teachers	17	1	3
Evaluators	2	1	1
Interpreter	1	0	0
Admissions Counselor	1	0	0

Along with the employees listed in the above graph, the Office of Vocational Rehabilitation contracts for additional specialized services for consumers. The job classification contracts include: a rehabilitation engineer, medical services as well as support services and interpreters at the Carl D. Perkins Comprehensive Rehabilitation Center.

The office anticipates that a minimum of 175 counseling positions will be necessary to achieve the goals of increased services and successful employment outcomes. The office currently employs 140 counselors with a ratio of 248 active cases per counselor.

Information from institutions of higher education that train rehabilitation personnel is reviewed at least annually. Currently the University of Kentucky is the only Kentucky institution offering a Master's of Rehabilitation Counseling (MRC) program. The University of Kentucky reports to the office annually on the number of students enrolled and the number graduating from the program with certification or licensure and/or with credentials to qualify for certification or licensure. Participants in the program are eligible to test for rehabilitation counselor certification after completing 75% of their course work. The University of Kentucky is also using technological advancements to increase the number of qualified personnel in the field by offering an online MRC program dedicated to the specific training needs of state rehabilitation employees. This is an accelerated program that allows participants to complete the degree in sixteen (16) months. The increase in the number of employees working toward their master's degree and the increase in tuition costs have a significant impact on the in-service training budget.

The following graph denotes the graduation statistics for the University of Kentucky:

University	Program Typ	Semester	Total Graduate	OVR Counselor:
University of Kentucky	MRC	Spring 2005	34	10
University of Kentucky	MRC	Summer 2005	6	1
University of Kentucky	MRC	Fall 2005	30	7

In addition to the University of Kentucky program, two OVR employees in the distance-learning MRC program offered through Auburn University with one graduating in the Spring 2005 and the other during the Summer 2005. Other master level programs throughout the state are also being utilized for the training of qualified rehabilitation personnel with four individuals participating. All programs

approved for tuition assistance must meet eligibility criteria for the Certified Rehabilitation Counselor examination. Two individuals are attending Lindsey Wilson College to obtain a masters degree in counseling with one graduating in December 2005 and the other in August of 2006. Two employees are attending the University of Louisville and will obtain degrees in education counseling with an emphasis on mental health. Since these two employees are attending part-time their anticipated graduation date is 2009.

Recruitment and Retention

The office actively coordinates and facilitates efforts with institutions of higher education and paraprofessional associations to recruit, prepare and retain qualified personnel, including personnel from minority backgrounds and individuals with disabilities. Recruitment efforts are also conducted via web based programs maintained by the state personnel office.

The office aggressively recruits individuals who are Certified Rehabilitation Counselors, but recognizes that hiring individuals with this certification is not always possible due to the shortage of available qualified staff in this field and salary constraints. Individuals hired without certification are expected to meet certification requirements within five years of employment. Counselors pursuing a master's degree that allows them to sit for the CRC receive full tuition assistance excluding book purchases. Individuals are encouraged to achieve and maintain their CRC. The agency pays for the sitting and examination fee for the CRC one time only pass or fail and provides reimbursement for maintenance fees for the certification. To assist employees in preparing for the examination, the agency provides access to an online preparatory course for the CRC developed and maintained through the University of Wisconsin Stout. The staff of OVR is also provided with agency-sponsored opportunities to maintain the required professional development maintenance hours for the CRC.

As of August 2005, personnel measures were put in place that now allow the agency to offer more competitive salaries to incoming qualified counselor and field branch manager applicants as well as having provided opportunities to increase the salaries to current qualified staff. This initiative was implemented to allow the agency to be more competitive in salaries with other states and to provide additional incentive in recruitment and retention efforts.

Of tremendous significance to recruitment and retention efforts is the impending retirement incentive plan for employees in the Kentucky Employee Retirement System who retire before January 31, 2009. The Kentucky Personnel Cabinet has done a preliminary study and estimates 35% of the state workforce will retire within this 'window'. While most of our employees are under Kentucky Teachers Retirement System and this incentive does not affect them, it does have the potential for a tremendous impact on clerical staff. Recruitment efforts and preservation of organizational knowledge will need to be key components of personnel measures outlined in the strategic plan as well as leadership succession plans.

The office believes that well-trained professional staff contributes to greater retention and job satisfaction among personnel. This is essential in providing quality services to individuals with

disabilities and achieving positive employment outcomes for office consumers. Training initiatives for new employees as well as seasoned employees is outlined fully in the staff development section.

The office coordinates with historically black colleges and professional associations to recruit, prepare and retain qualified personnel. The office will achieve a more diverse workforce by hiring individuals from protected classes. Minority recruiting will enable the office to employ highly competent people from all segments of society who can effectively support the office mission of assisting individuals with disabilities into employment. Attitudinal change, structural change and programmatic change are ongoing to support the achievement of a more diverse workforce.

The office has also incorporated the Education Cabinet's protected class recruitment plan into the office personnel system. The Cabinet plan requires the dissemination of career opportunities to organizations and community agencies representing members of protected classes; recruitment of job applicants from all secondary and post-secondary schools throughout the Commonwealth; and maintenance of a pool of qualified applicants from protected classes who seek employment or advancement in employment with the office. In addition to the Cabinet requirements, the office actively recruits individuals of minority status and individuals with disabilities through job fairs conducted at Kentucky State University (KSU), the University of Louisville, the University of Kentucky and other locations throughout the state. The office and KSU jointly developed an endorsement program to make rehabilitation courses available on an undergraduate level at a historically black university. Credit hours from KSU classes count toward the MRC at the University of Kentucky. In addition, the office offers stipends to minority students who meet application criteria for internships within the office

Personnel Standards

The office considers qualified personnel to be individuals who meet the standards that are consistent with the national or state approved or recognized certification, licensing, registration or other comparable requirements that apply to the area in which they are providing vocational rehabilitation services. Specifically, the office defines qualified rehabilitation counselors and field branch managers as those individuals who hold certification from the Commission on Rehabilitation Counselor Certification.

The office makes every effort to hire and retain rehabilitation counselors who hold a CRC certification or individuals that have an MRC from a CORE accredited program and are eligible to hold CRC certification. If the office is unable to recruit individuals who meet this qualification, individuals are hired with the expectation that the MRC degree/CRC certification will be obtained within five years. The office provides career development opportunities to assist in achieving and maintaining these goals. The office expects all employees to achieve the required certification, licensure, or registration within their particular discipline. As noted earlier, additional professional development assistance is provided to assist individuals in achieving the qualified rehabilitation counselor standards set forth by the office.

The office currently employs 140 rehabilitation counselors and 15 field administrators. The following

data reflects the current credentials of these individuals as well as the progress of their professional development.

Group	MRC		Related Masters		Bachelors	
	CRC	Non CRC	CRC	Non CRC	CRC	Non CRC
Counselors (140)	42	11	18	25	3	41
Field Administrators (15)	3	0	8	3	0	1

Of the counselors employed with the office, 45% meet the state CSPD requirement of certified rehabilitation counselor. Of the 15 field branch managers employed with the office, 73% meet the state CSPD requirement of certified rehabilitation counselor. There are currently 24 counselors and 2 field branch managers who are eligible to sit for the CRC exam. Therefore, 62 % of the counselors and 86% of the field branch managers either meet the state CSPD requirement of certified rehabilitation counselor or meet the eligibility requirements to sit for the CRC exam.

Along with the qualified counselors and field administrators within the agency, other employees have also obtained their CRC. This dispersal of qualified employees provides the agency with a broad spectrum of expertise at all levels.

Group	CRC
Administrators	13
Case Managers	4
Employment Specialists	6
Evaluators	2
Supported Employment Specialists	2
Vocational Rehabilitation Teachers	2
Rehabilitation Technologists	2
Other	1
Total	32

As with many public vocational rehabilitation programs, Kentucky Office of Vocational Rehabilitation is finding it increasingly difficult to recruit qualified staff. The shortage of individuals entering the field is a contributing factor to this situation. Kentucky is continually seeking opportunities to offer employment incentives as a recruitment measures. Such incentives include the educational assistance program and flexible work schedules.

An emphasis on training to CRC standards is concentrated on those employees who currently do not meet the qualifications to sit for the certification exam, giving special attention to those who have not yet initiated the master's level education required. The office's targeted groups and timelines are prioritized as follows:

- 0-5 years of service with bachelor's or unrelated master's- must achieve CRC within 5 years of employment date
- 6-10 years of service with bachelor's or unrelated master's-2004
- 11-15 years of service with bachelor's or unrelated master's-2006
- 16-20 years of service with bachelor's or unrelated master's-2008
- More than 20 years of service with bachelor's or unrelated master's-2010

The office is committed to achieving 100% qualified rehabilitation counseling staff within 4 years based upon efforts with the identified target groups and specified timelines. New counselors are expected to complete an MRC program and obtain their CRC within five years from the date of employment. Staff is required to complete career development plans that include specific goals and timeframes for meeting certification and/or other requirements for their particular discipline. The office supports staff career development by funding training necessary to achieve the established goals.

The office reviews its recruitment and retraining efforts each year. In fiscal year 2005, the office filled forty-six positions as follows:

Position Title	Number Employed in 2005
Executive Secretary	1
Assistant	10
Branch Manager	2
Rehabilitation Counselors	14
Nurses, OT, PT	8
Patience Care Aide	4
Employment Specialists	5
Dorm Counselor	1
Security Guard	1

The number of personnel hired during the 2005 was higher than that of 2004, but some of this is accounted for in the turnover rate especially in the medical areas such as nursing.

The medical staff had all obtained appropriate credentials, certification, and/or licensure prior to hire date. Of the fourteen counselors hired that have maintained their employment, two had their CRC upon hiring, one is scheduled to sit for the CRC in October 2005 and 6 are working on their MRC. Of the remaining individuals, three have a degree that does not qualify them to sit for the CRC and the others have only a bachelor degree. The CSPD plan has been successful in providing opportunities for staff that do not meet the certification requirements to achieve the necessary credentials within the required time frame.

All rehabilitation technologists employed by the office achieved RESNA certification. Ninety of the office's rehabilitation assistants either have achieved or are working toward Professional Rehabilitation Assistants certification.

Staff Development

The office believes that a well-trained professional staff is essential in providing quality services to individuals with disabilities and achieving positive employment outcomes for office consumers. The office's Program Planning and Development Branch is committed to continuous improvement in upgrading staff skills and providing opportunities for staff career development. The office's professional development and tuition assistance policy emphasizes education and training. Upon employment, staff are required to implement career development plans that will enhance qualifications and provide an opportunity to advance to higher level, higher paying positions.

The office has conducted training needs assessments and has developed training plans to address identified needs. Training plans are based on; office goals, directions and continuous improvement initiatives; training needs assessment; staff input; and consumer input.

In 2003, the Regional Rehabilitation Continuing Education Program assisted the Office of Vocational Rehabilitation in conducting a training needs assessment. Forums were held with staff representatives from across the state to develop an outline of competencies needed for positions within the agency. Specifically the identified positions addressed were: Leadership, Program Administrator, Field Administrator, Counselor, Assistant, Job Placement and Rehabilitation Technology. The competencies were developed into a survey format and provided to the staff online for electronic completion and submission. The information was deciphered and the results were calculated into the In-Service Training Grant that was renewed in 2005. This information will assist leadership in the development of formal competencies for all job classifications in order to provide skill gap analysis to address training needs as indicated in the agency strategic plan of 2005.

In 2005 the Vocational Rehabilitation In-Service Training Grant was written and approved to assist with tuition assistance toward CSPD goals and for in-service training opportunities to maintain and increase staff skills and proficiencies in service individuals with disabilities. The grant was written based on the training needs identified in the 2003 assessment conducted in conjunction with the Regional Rehabilitation Continuing Education Program in Atlanta, Georgia. These goals for training and staff development have also been formally established and are being monitored through the Strategic Plan that was updated through forums and formal review processes in 2005.

New employees are provided with an introduction to the office and are given an overview on the history of OVR, required training programs, and tuition assistance for professional development and Comprehensive System of Personnel Development standards. The training for new employees is continued through three-phase Skills Enhancement Training (SET). Employees attend training sessions for three weeks and receive an overview of the office mission, philosophy, values, federal and state laws, appropriations, budget and planning, eligibility, assessment, vocational goal development, plan development, confidentiality and ethics, services, supported employment, rehabilitation technology, diversity, disability awareness, Americans with Disabilities Act (ADA), Social Security Administration (SSA), Ticket to Work, Workforce Investment Act (WIA), comparable benefits, standards and indicators and marketing.

Training programs for all staff emphasize informed consumer choice and maximizing consumer direction of individualized rehabilitation plans. Particular importance is placed upon the 1998 Amendments to support staff implementation of the Law as well as the understanding of the intent and spirit of the Act. Opportunities for professional growth and development are provided to all staff in the area of assistive technology, Workforce Investment Act, ADA, Individuals with Disabilities Education Act, social security, Ticket to Work, vocational counseling, assessment, job placement, marketing, ethics, supported employment as well as cultural diversity. In addition to these, training on specific disabilities was also provided on traumatic brain injury, multiple sclerosis, autism and mental health. Information regarding to current research is disseminated to all staff via formal training opportunities as well as through other technological resources such as the Internet, Intranet and email.

The rehabilitation counselor mentor program was implemented in June 2002 with pilot programs in six districts. There are currently fifteen (18) counselors that have been through the training program that serve as mentors in eight out of fifteen districts. Annual training opportunities are provided to the mentors to continually develop their skills and the program in order to assure that the needs of the new employees are being addressed. This is also an opportunity to keep them aware of current policies and laws that impact the office and their work with the employees. The Professional Rehabilitation Assistant Program (PRA) has used the philosophy developed by the counselor mentor program to develop a program designed to meet the needs of new assistants. There are currently five (5) assistants involved in this program in five districts throughout the state. Future plans include the development of a mentoring program specific to the needs of job placement professionals.

College and university level classes are an integral element in maximizing educational opportunities and enhancing staff career development. The office strongly encourages continuing education and provides incentives for staff to pursue degrees at the master level.

The office also supports staff development by providing access to research results and other critical information by utilizing a variety of methods including dissemination of articles and publications, workshops, presentations and Internet access.

The office is anticipating the retirement of several leaders and is cognizant of the need for leadership succession. Therefore, the Curriculum Design Team led by the HRD Program Administrator has begun to develop leadership competencies and an outline of potential training needs based on the competencies. The team is currently working on a timeline for implementation. As a component of leadership development, the Department of Workforce Investment is planning a series of training sessions for all current staff in leadership positions.

Leadership development opportunities are provided to managers through the training program for leadership development offered by the RRCEP at Georgia State University (GSU). There was one (1) administrator from the office that participated and he will complete program in 2005. Employees also receive leadership development skills through the Governmental Services Center

(GSC) programs for Certified Management Fundamentals and Certified Public Manager programs.

Continuous effort is being made to provide quality and timely training opportunities to staff for professional development. The office is now pursuing the implementation of web-based education programs to assist in this area. The introduction of new technology has allowed many staff members to participate in higher education programs in pursuit of degrees leading to certification in their field of expertise as well as in other training to keep them abreast of new information in vocational rehabilitation. This trend is projected to increase and the office is committed to the development and utilization of this new technology to provide increased professional development and support to all staff. The first of many online programs are slated for rollout in 2006 and include: Confidentiality and Ethics, Overview of the Office of Vocational Rehabilitation and Eligibility and Services. A New Employee Orientation Program is also being developed in an online format.

Kentucky is fortunate to have a state supported online clearinghouse for online training through Kentucky Virtual University. Not only does this program, operated through the Council on Post-Secondary Education, offer online opportunities for the colleges and universities in the state, it also provides a mechanism for state agencies to deliver training online at no charge. This resource will be used to provide staff with the internal training programs that are currently in the development stage. This will also be the resource used to develop an interactive training program for new and seasoned counselors to refine skills for documentation, assessment and goal development as outlined in the Vocational Rehabilitation In-Service Training Grant 2005.

Along with the internal development online programs, Kentucky is also collaborating with other agencies on existing training opportunities. Currently there are two programs in use that were collaboratively developed with Michigan State University and Michigan Rehabilitation Services. The programs have been tweaked to reflect Kentucky specific information and are being facilitated by Kentucky OVR employees. Kentucky also worked collaboratively with University of Wisconsin Stout by requesting that they develop their face-to-face CRC preparatory course into an online format so that it would be available to other states and this was piloted in August 2005. The University of Kentucky, in conjunction with OVR supports from the Vocational Rehabilitation Service Projects Program for Migrant and Seasonal Farm Workers grant, are working to develop an online diversity training program specific to this group of individuals. This information will also be made available to other states through the University of Kentucky online professional development program.

Communication with Diverse Populations

The State Coordinator of Deaf Services works closely with the HRD Program Administrator to insure that all employees have adequate American Sign Language skills to communicate with consumers who are deaf. Every effort is made to recruit individuals who are proficient in sign language. If a person with signing skills is not available, steps are taken to ensure that the appropriate training is provided. Rehabilitation Counselors for the Deaf (RCD's) are required to attend the Orientation to Deafness program at the University of Tennessee or similar programs to improve/acquire signing skills and to

learn about deaf culture and other individuals with deafness (deafblind, low functioning deaf, etc.). Ongoing training opportunities insure that skill levels are maintained or increased.

The office continues to explore the hiring of bilingual staff to address consumer needs. With an increasing number of individuals from the Hispanic culture in both urban and rural areas of the state it is essential that employees gain knowledge and skills in this area. The office applied for and received a Vocational Rehabilitation Service Projects Program for Migrant and Seasonal Farm Workers grant to improve services to this population and provide basic communication skills in Spanish to staff in targeted areas. Training resources for service to this population is being expanded, as mentioned earlier, by introducing an online cultural training program specific to the employment needs and expectations of Kentucky's Hispanic residents. This training will consist of three levels with the first level being mandatory for all staff and the other levels mandatory based upon the job responsibilities of the individuals. Since this program is online and is being developed in collaboration with the University of Kentucky professional development program, the resource will be made available to other states.

The office utilizes alternate formats such as large print and Braille to insure that consumers have access to needed information.

Coordination of the CSPD and In-service Training

The HRD Program Administrator is charged with the management of CSPD activities as well as the management of the In-service Training Program. The In-service Training Grant funds are use for the planning and execution of in-service training opportunities and higher education programs that meet accreditation and professional standards identified for each job classification.

The Governor has appointed a representative from the Office of Exceptional Children to the Statewide Council for Vocational Rehabilitation (SCVR). Coordination also occurs through the Interagency Coordinating Council that meets on a quarterly basis to address continued fulfillment of the Kentucky Interagency Agreement on Transition Services for youth with disabilities. The Department of Education and the Office of Vocational Rehabilitation are two of twelve state agencies that are parties to the agreement. One of the provisions of this agreement is cooperative training and staff development concerning transition issues.

The office also has cooperative professional development programs for selected high school education teachers, local directors of special education, job coaches, rehabilitation counselors, and community based personnel. Training focuses on development and implementation of community-based work transition services for students with disabilities.

State Rehabilitation Council

The Statewide Council for Vocational Rehabilitation (SCVR) reviewed the Comprehensive System of Personnel Development (CSPD), State Plan attachment 4.11(b), in April 2006. Recommendations of SCVR were incorporated. The SCVR supports the office's plan to achieve qualified staff.

Attachment 4.12(a): Results of Comprehensive Statewide Assessment of the Rehabilitation Needs of Individuals with Disabilities and Need to Establish, Develop or Improve Community Rehabilitation Programs

Results of Comprehensive Statewide Assessment of the Rehabilitation Needs of Individuals with Disabilities

During the 2005-2006 Fiscal Year, the Kentucky Office of Vocational Rehabilitation conducted the tri-annual comprehensive statewide assessment in an effort to identify the needs of individuals with disabilities. The findings were incorporated into the goals and priorities to enhance services to the populations and programs identified in the assessment.

Methodology:

The Kentucky Office of Vocational Rehabilitation used five primary methods to determine the rehabilitation needs of individuals with disabilities in the state.

1. Population Analysis

A wide variety of demographic data concerning the population of the state was analyzed. This data was obtained from a number of readily available sources and the sources are generally noted in the narrative. The state's demographic data was compared to national data and to that of other states.

2. OVR Consumer Data Evaluation

Data from the Kentucky OVR's case management system (CMS) was analyzed.

On a continuous basis, various populations of OVR consumers are investigated to determine if a diverse population of disability types are being served, if services are being provided consistently on a statewide level, the types of employment individuals are obtaining, if OVR is serving individuals of a diverse age range, etc. Often these analyses provide valuable information that is used to make alterations in policy and/or procedure to improve consumer services.

3. Consumer Satisfaction

The results of consumer satisfaction surveys were reviewed. The surveys included the annual satisfaction survey conducted on behalf of the Statewide Council for Vocational Rehabilitation (SCVR) and the agency's six month/twelve month follow up survey that is conducted monthly.

4. Input From Statewide Council for Vocational Rehabilitation and Outside Entities

Input from the public, collaborating partners, and other interested entities, including that collected at public hearings, was reviewed.

Input was gathered at seven public hearings conducted in preparation of the state plan. The public hearings were conducted in six locations across the state including the far western and rural eastern areas of the state as well as the more metropolitan areas in central Kentucky. In

addition, a public hearing was conducted specifically with the students of the Carl D. Perkins Rehabilitation Center in an effort to gather valuable information on the services and training programs provided through the Center and identify services needed after completion of the programs at the Center.

The Statewide Council for Vocational Rehabilitation was an active partner in the development of the comprehensive needs assessment. In addition to the annual consumer satisfaction survey outlined above, both the Consumer Services and Program Evaluation Committee and the Policy and Planning Committee have provided on-going input on the comprehensive needs assessment.

The mission of the Policy & Planning Committee is to review, analyze and recommend on all relevant policies of Vocational Rehabilitation. The mission of the Consumer Services and Program Evaluation Committee is to enhance the Kentucky Office of Vocational Rehabilitation's effectiveness in assisting people with disabilities to achieve positive employment outcomes. In the course of fulfilling these missions, these committees are constantly assisting the agency in assessing statewide needs. Individually, Council members participate in the public hearings associated with the preparation of the state plan.

OVR is in a continuing dialogue with its collaborating partners about the comprehensive needs of Kentuckians with disabilities. These partners include state agencies such as the Department for Mental Health and Mental Retardation, the Office for the Blind, the Office of Education and Training, and the Department of Education, among others; advocacy organizations such as the Kentucky Disabilities Coalition, the 874K coalition, the ARC of Kentucky, among others; local school districts; institutions of higher education; and employers. Input from these partners is gathered informally and formally through various councils and workgroups such as the Developmental Disabilities Council, the House Bill 144 Committee and the Supported Employment Stakeholders Workgroup, among others. Communication with employers about statewide needs is enhanced through OVR's partnership and partial funding of the Kentucky Business Leadership Network (KYBLN), a public/private effort to match the human resource needs of employers to qualified individuals with disabilities looking for jobs.

5. Literature Review

A review of pertinent literature concerning services to individuals with disabilities, particularly in Kentucky, was conducted. Articles at various websites were reviewed. The websites included the National Institute on Disability and Rehabilitation research (NIDRR), the Regional Rehabilitation Continuing Education programs, RESNA, the Department of Labor, the Rehabilitation Services Administration, and the U. S. Census Bureau. Various academic journals were also utilized such as *Journal of Rehabilitation*, *Journal of Applied Rehabilitation Counseling*, *Work: A Journal of Prevention, Assessment and Rehabilitation*, and the *American Journal of Occupational Therapy*, among others

Findings

General Demographics of the Population

According to the 2000 U. S. Census, Kentucky's disability rate of 23.7% of residents over five years of age was second only to West Virginia's rate of 24.4%. Nationally, the counties with the highest disability rates were clustered in the coal mining areas of Kentucky, West Virginia and Virginia and include the Eastern Kentucky counties of Bell, Breathitt, Clay, Harlan, Leslie, Martin, and Owsley. Kentucky's employment disability rate of 13.9% among individuals between the ages of 16 and 64 was fifth among the states behind Nevada, Mississippi, Florida, and South Carolina. The 23.7% disability rate among Kentuckians ages five and above translated to more than 874,000 individuals in 2000. The employment disability rate of 13.9% among individuals between the ages 16 to 64 translated to more than 362,000 individuals.

According to 2004 Census Bureau estimates, the employment rate of Kentuckians with a disability between the ages of 21 and 64 was 46.9% compared to the national rate of 56.6%. The employment rate for Kentuckians without a disability was 76.5%, nearly 30 points higher than Kentuckians with a disability.

According to 2004 U.S. Census Bureau estimates, nearly nineteen percent (18.6%) of Kentucky families with disabilities were living below the federal poverty level. This was the fifth highest rate among all states behind only Mississippi, the District of Columbia, Louisiana, and West Virginia. Kentucky's poverty rate overall was higher than the national average. The rate for all Kentucky families was 13.9% compared to the national rate of 10.1%. The individual poverty rate in Kentucky was 17.4% compared to the national rate of 13.1%. The median household in Kentucky in 2004 was \$35,269 compared to the national median income of \$44,684. A total of 1,680,820 Kentuckians, or 41% of the population, live below 200% of the federal poverty level. The national percentage is 36%.

According to the 2000 Census, not quite three out of four Kentuckians age 25 years and older were high school graduates. Kentucky's high school graduation rate of 74.1% was the second lowest in the nation, ahead of only Mississippi.

In 2004, Kentucky's rate of Medicaid-funded births of 389 per 1,000 was higher than the national rate of 372 per 1,000. Fourteen percent of Kentuckians (577,650 individuals) obtained their primary health insurance coverage through Medicaid (national percentage is 13) and fourteen percent (568,180 individuals) obtained it through Medicare (national percentage is 12). Fourteen percent of Kentuckians (557,170 individuals) had no health insurance coverage whatsoever.

Kentucky has a relatively high incidence of many health problems. In 2001, the cancer death rate in the state was 509.6 individuals per 100,000 deaths compared to the national rate of 461.6. The heart disease death rate was 288.9 individuals per 100,000 deaths compared to 240.8 nationally and the stroke death rate was 63.9 per 100,000 deaths compared to 56.2 nationally. In 2004, an estimated 7.5% Kentuckians had diabetes compared to 7.0% nationally.

Kentucky has a higher percentage of Social Security recipients than the national percentage. A total of 6.4% of Kentuckians (166,056 individuals) between the ages of 16 and 64 receive Social Security Disability Insurance benefits compared to the national average of 3.6% in that age group. Four percent of Kentuckians (163,120 individuals) are Supplemental Security Income (SSI) beneficiaries compared to the national percentage of 1.9%.

An analysis of employment outcomes whose cases were closed by Kentucky OVR and who were Social Security recipients was conducted for each OVR district. It indicated that in some areas of the states, most notably the Eastern Kentucky districts of Ashland and West Liberty, Kentucky OVR serves relatively small numbers of Social Security recipients.

Individuals with the most significant disabilities (including their need for supported employment services):

For many years, the Kentucky Office of Vocational Rehabilitation has been under an order of selection in terms of providing services to eligible consumers because it does not have sufficient funds to serve all individuals who are eligible. The following statistics indicate how the numbers currently being served fall well short of serving the numbers who could potentially benefit from the services.

According to the 1999 Kentucky Acquired Brain Injury Planning Project report, less than one percent of individuals with acquired brain injuries were being served by Kentucky's regional system of community health centers and only two percent were receiving vocational rehabilitation services. According to the 2004 Kentucky Brain Injury Prevalence Study commissioned by the Kentucky Department of Mental Health and Mental Retardation Services and the Kentucky Brain Injury Trust Fund, an estimated 480,970 Kentuckians had a mild or severe head injury at some point in their lives and an estimated 5 to 5.3% of Kentuckians had a head injury that could affect future functioning. In FY 2005, the Kentucky Office of Vocational Rehabilitation served 795 individuals with acquired brain injuries.

The Kentucky Department of Mental Health and Mental Retardation Services reported that 22,848 individuals received treatment for substance abuse in 2004, 7,391 for alcohol abuse only, 4,002 for alcohol abuse with secondary drug abuse and 11,455 for drug abuse. In FY 2005, the Kentucky Office of Vocational Rehabilitation served 3,081 individuals with substance abuse as their primary disability.

The Kentucky Department of Mental Health and Mental Retardation Services reported that it served 28,708 adults with severe mental illness in fiscal year 2005, considerably short of the federal estimate of 79,221 such individuals in the state. The Department also estimated that there were 5,180 homeless adults with severe mental illness in 2005. Finally, it reported serving 19,114 children with severe emotional disabilities in 2004, 38% of the estimated 49,743 such children in the state. In FY 2005, the Kentucky Office of Vocational Rehabilitation served

13,577 individuals with a mental illness diagnosis as their primary disability.

The Kentucky Department of Mental Health and Mental Retardation Services reported in 2002 that there were an estimated 38,117 individuals with mental retardation or other developmental disabilities, or 1.04% of the population in the state at the time. The agency currently serves 11,857 adults from this population through the community health centers, its ICF-MR institutions, or its Supports for Community Living program. In FY 2005, the Kentucky Office of Vocational Rehabilitation served 3,081 individuals with mental retardation.

According to the statewide count of children and youth with disabilities conducted annually by Kentucky Department of Education, there were 106,916 students with disabilities between the ages of 3 and 21 in Kentucky school systems on December 1, 2004. Of those, 29,015 had a communication disorder; 16,789 had a specific learning disability; 14,813 had a mild mental disability; 3,097 had functional mental disabilities; 5,699 had an emotional/behavioral disorder; 706 had hearing impairments; 460 had visual impairments; 533 had orthopedic impairments; 18 were deaf/blind; 4,269 had multiple disabilities; 1,783 had autism; 234 had traumatic brain injuries; and 17,366 had developmental disabilities; and 12,114 had other health impairments. A total of 5,582 youths with disabilities in the schools were 16 years of age, 4,943 were 17, and 3,422 were between the ages of 18 and 21. All of these youths would be potential consumers of services from the Kentucky Office of Vocational Rehabilitation in the next few years. In FY 2005, a total of 9,117 consumers of the Kentucky Office of Vocational Rehabilitation had been referred from schools.

An estimated 200 to 300 students leave Kentucky's schools each year in need of supported employment services. Unfortunately, many of these students will be placed on waiting lists, which exist with most of the sixty-two supported employment service providers in the state. There are currently more than 2,500 Kentuckians waiting for supported employment services. The lack of dollars for long-term supports is still a major problem in Kentucky, making access to supported employment quite limited especially in the rural areas. The Kentucky Office of Vocational Rehabilitation continues to work with the legislature, KY APSE (Association for Persons in Supported Employment), and other advocacy groups in efforts to increase funding. A small bit of progress was made during 2002 when two hundred thousand dollars (\$200,000) for each year of the biennium was appropriated to the Agency to be used for supported employment unmet need, particularly long-term support and un-served/underserved counties. An additional \$200,000 for long-term support was requested from this year's legislature, but it was not put in the final budget. The Kentucky Office of Vocational Rehabilitation will continue to support further increases in funding to help serve the large numbers of individuals with the most significant disabilities who cannot access supported employment services.

The Supported Employment Stakeholders Workgroup, of which Kentucky OVR is an active member, has identified an enormous need for supported employment options for individuals in the Medicaid-funded Supports for Community Living and Acquired Brain Injury Waivers. These individuals, all of who have most significant disabilities, most often are in day activity

programs and need more age-appropriate activities such as paid employment.

Minorities and Unserved or Underserved by the Vocational Rehabilitation Program:

Ethnically, Kentucky is not a very diverse state. Some of the least diverse counties in the country can be found in Eastern Kentucky. According to the 2000 Census, nationally, 24.9% of the population is considered non-Caucasian. In Kentucky, that percentage drops to 9.9%. In FY 2005, 6,003 of the 40,068 individuals served by the Kentucky Office of Vocational Rehabilitation, or 14.9%, were non-Caucasian, five percentage points higher than what occurs in the state's population.

Kentucky remains primarily a non-metropolitan state, complicating the delivery of services and restricting the employment options for many individuals in rural areas. Fifty-four percent of Kentuckians were considered to be living in non-metropolitan areas compared to only 17% nationally in 2004.

The Kentucky Office of Vocational Rehabilitation divides its offices into fourteen districts around the state. A simple comparison was performed related to the number of individuals with an employment disability in each OVR district reported by the Census Bureau and the number of individuals with significant disabilities served by the agency. A larger than expected discrepancy between the number served by Kentucky OVR and the number reported by the census was found in several districts, most notably in two of the districts located in rural Appalachian Eastern Kentucky.

Results of satisfaction surveys

OVR, in conjunction with the Statewide Council for Vocational Rehabilitation (SCVR) conducts an annual consumer satisfaction survey of individuals whose cases were closed during the year. The 2005 survey indicated a satisfaction rating of 3.36 (out of a possible 4.00 points), an increase from the 2004 rating of 3.30. Nearly nine out of ten individuals (88.1%) rated the services they received as 'good' or 'very good,' 2.2 percentage points higher than in 2004. The percentage among individuals who obtained positive employment outcomes was 92.4%. The survey did indicate that about one fourth of the consumers wanted more assistance in choosing an appropriate job goal.

The agency also conducts six-month and twelve-month follow up surveys of individuals who obtain positive employment outcomes. The 2005 survey results indicated that respondents were earning \$2.00 more per hour than when their case was closed.

Input from public hearings

Input was gathered from seven public hearings as part of the development of the state plan. Concerns expressed included the lack of adequate job placement services for individuals with

mental health issues. The agency will seek to address this issue through its pilot projects program with CRPs. Several supported employment providers expressed the feeling that the reimbursement rate for supported employment services was no longer adequate. Communication with rehabilitation partners, specifically community rehabilitation programs, should be enhanced when policy changes are being discussed. The agency implemented an internal policy that requires communication of policy changes with any entities affected at least 30 days before the policy is implemented.

Other components of the Statewide Workforce Investment System

Currently, OVR has counselors located in 13 of 31 one-stop workforce investment centers. The balance of the one-stop centers is served by counselors on an itinerant basis. There are 17,682 individuals with disabilities active in the Employ Kentucky Operating System as of May of 2006. A total of 1,752 registered between April of 2005 and the end of March 2006.

Community Rehabilitation Programs

Need to Establish, Develop or Improve Community Rehabilitation Programs

Community Rehabilitation Programs (CRPs) provide directly or facilitate the provision of vocational rehabilitation services to enable individuals with disabilities to maximize opportunities for employment, including career advancement.

The Agency has implemented procedures that support achievement of successful competitive employment outcomes for Agency consumers. The Agency has instituted a vendor application process for the CRPs to ensure delivery of professional and quality services to individuals with disabilities. A fee for service program has been implemented that provides payment for outcomes. This payment mechanism supports a more consistent and coordinated effort focusing on successful employment outcomes for individuals with disabilities. Currently, the agency is reviewing all CRP policies and procedures to insure as much access to services as possible.

The Agency would like to expand the availability of employment and increased opportunity for consumer choice among providers. Such an effort may include new CRPs as well as established programs.

Assessment of Needs

In the fall of 2005, a survey was sent by OVR to the CRPs in Kentucky to ascertain their opinions about their working relationship to the agency. The majority of CRPs responding (62.5%) felt that the current rate of reimbursement for CRP services was adequate, but most stated that they wanted more referrals from the agency. Other areas of concern were the need for more information when individuals were referred, the timeliness of referrals, and the increasing significance of the disabilities of the individuals referred. The agency will maintain an open

dialogue with the CRPs to insure that their concerns are continuously addressed.

Early in 2006, another survey was conducted by the agency of the satisfaction of counselors with the services provided by CRPs. Only four percent of OVR counselors found the services provided by CRPs to be inadequate while 96% rated the services 'good' or 'very good.' Only six percent found the communication with the CRP to be inadequate, with 94% rating communication 'good' or 'very good.' Some problems were identified with three to four specific CRPs and the agency will work those organizations to correct issues of concern in the coming year.

The capacity of Community Rehabilitation Programs for provision of the varied range of services to persons with significant and most significant disabilities in Kentucky appears to be adequate for most regions of the state. However, there may be a need for development of new programs and new service options in unserved and underserved counties throughout the state. Particularly in the geographical area of the state east of Lexington, there are limited numbers of CRPs and expressed interest in expanding the availability of employment services for Agency consumers. The agency has been funding 'pilot' projects among CRPs for the last two years in an effort to develop innovative approaches to serve challenging populations. The agency is moving to formalize the pilot project program by developing guidelines for providing resources to create new options and increase employment services available to Kentuckians with the most significant and significant disabilities. The agency will attempt to identify and target unserved and underserved counties across the state to target for pilot projects.

In FY 2005, 560 successful competitive employment outcomes (excluding supported employment) and 397 supported employment outcomes involving the services of CRPs were reported statewide. Of these, 64 competitive employment outcomes other than supported employment and 32 supported employment outcomes were reported in the eastern region of Kentucky.

Summary of Needs

1. Because of the relatively high prevalence of disability in Kentucky and on-going funding limitations, the Kentucky Office of Vocational Rehabilitation will be unable to serve all eligible individuals for the foreseeable future and will need to remain in an order of selection under which only individuals with significant and most significant disabilities are served.
2. The predominantly rural nature of the state continues to pose problems in providing efficient services and performing adequate outreach to underserved populations. As one strategy under its goal of effectively utilizing all available human and fiscal resources in an efficient manner, the agency will be conducting a careful analysis of personnel patterns, comparing where staff exists and where it might need to be located, and begin staffing accordingly.

3. Large waiting lists for supported employment and personal care attendant services exist in Kentucky. Kentucky OVR will continue its efforts to expand services in those areas. To reach its goal of enhancing and increasing employment for individuals with the most significant disabilities, the agency has developed strategies to initiate innovative programs to serve underserved populations. Already, the agency is working to strengthen its collaboration with the state Department of Mental Health and Mental Retardation by developing an enhanced memorandum of agreement that will address supported employment needs. It will develop pilot supported employment and community rehabilitation programs in the coming year to address the specific needs of underserved areas in the state. It will continue to push for increased funding for long-term support the lack of which continues to inhibit the development of supported employment services.
4. According to input at state plan public hearings and the analysis of the population in the state, services to individuals with severe mental illness are inadequate and insufficient to meet the needs of that population. The enhanced memorandum of agreement with the state Department of Mental Health and Mental Retardation should improve services to this population. Again as part of its strategy to initiate innovative programs, Kentucky OVR will develop pilot programs in the coming year to serve this population.
5. To address the need for supported employment options for individuals in the Supports for Community Living and Acquired Brain Injury Medicaid Waivers identified by Supported Employment Stakeholders Workgroup, Kentucky OVR will be involved in a multi-year collaborative project with the Department of Mental Health and Mental Retardation Services and the Kentucky Developmental Disabilities to gradually and systematically convert service providers from day activity services to supported employment services.
6. With more than 13,000 students with disabilities in Kentucky schools age 16 and over, there will continue to be a tremendous need for transition services. Kentucky OVR is currently in the process of revamping and revitalizing its nationally known community-based work transition program to meet those needs, particularly of students with the most significant disabilities.
7. Kentucky OVR will continue with the state's CRPs and supported employment providers to develop and foster services that directly address the need of the agency as identified through input from the CRP partners, consumers and its own staff, maintaining an open dialogue on issues of mutual concern to all parties.
8. For Kentuckians with disabilities, the unemployment rate is much higher and the income level remains lower than Kentuckians without disabilities. As a result, Kentucky OVR will have as its goal the inclusion, promotion and empowerment of Kentuckians with significant and the most significant disabilities. The agency will collaborate with other entities to conduct self-advocacy training at the local level. In addition, the agency

will incorporate advocacy and disability awareness into its own programs to the greatest extent possible.

Attachment 4.12(b): Annual Estimates of Individuals to Be Served and Costs of Services

These goals reflect the Office's continuing dedication toward serving those individuals with the most significant disabilities. In FY 2004, the Office served 35,528 consumers and in FY 2005 served 35,807 consumers. From FY 2004 to FY 2005, the percentage of individuals served who had most significant disabilities rose from 39.0% to 41.3%. These goals project only a slight increase in all categories I-IV due to limited state funding and anticipated stagnant budget.

FY 2006 SERVICE GOALS:

Priority Category	Title VI, Part B	Title I, Part B	Estimated Cost
I Eligible individuals with the most significant disabilities	150	15,320	\$14,320,852
II Eligible individuals with a significant disability who have serious limitations in three functional areas		9,700	\$12,929,129
III Eligible individuals with a significant disability who have serious limitations in two functional areas		8,990	\$10,881,926
IV Eligible individuals with a significant disability who have serious limitations in one functional area		2,473	\$4,371,919
V Eligible individuals with non-significant disabilities that result in permanent functional limitations		40	\$80,942
VI All other eligible individuals whose disabilities are non-significant		0	0
TOTALS	150	36,523	\$42,584,768

FY 2007 SERVICE GOALS:

Priority Category	Title VI, Part B	Title I, Part B	Estimated Cost
I Eligible individuals with the most significant disabilities	150	15,571	\$14,998,873
II Eligible individuals with a significant disability who have serious limitations in three functional areas		9,786	\$13,239,065
III Eligible individuals with a significant disability who have serious limitations in two functional areas		9,018	\$10,939,762

IV Eligible individuals with a significant disability who have serious limitations in one functional area	2,478	\$4,393,770
V Eligible individuals with non-significant disabilities that result in permanent functional limitations	35	\$77,917
VI All other eligible individuals whose disabilities are non- significant	0	0
TOTAL	150	36,888 \$43,649,387

Attachment 4.12(c)(1): State's Goals and Priorities

The Agency analyzed information obtained from visioning forums conducted across the state and attended by various stakeholders such as community rehabilitation providers, One-stop Center staff, advocacy groups, employers, and consumers of Vocational Rehabilitation Services, SWOT data collected from all employees within the Agency, the Statewide Council for Vocational Rehabilitation, the Statewide Independent Living Council, the Client Assistant Program and future trends within state and federal government and the communities of individuals with disabilities. Comments and suggestions were grouped and prioritized by participants. The analysis of the information resulted in the following goals.

GOAL I: To enhance and increase employment for individuals with most significant and significant disabilities consistent with individual capacities, abilities and informed choice.

GOAL II: To promote inclusion, integration and empowerment of individuals with most significant and significant disabilities.

GOAL III: To achieve productive and collaborative relationships with public and private entities.

GOAL IV: To effectively utilize all available human and fiscal resources in an efficient manner.

The Agency established the following priorities based on all input collected for the Strategic Plan.

Meet or exceed performance standards and indicators as mandated by the federal government through expansion of external customer outreach such as increased employer partnerships, community involvement, and disability organizations collaboration.

Develop and implement an effective, comprehensive and responsive management information system through ongoing recommendations from all staff, adequate training to all staff, and continuous improvement measures for future changes.

Increase qualified professional staff in all disciplines through partnerships with the universities and colleges and exploration of state level certification programs.

The particular strategies and timeframes planned for achieving these goals and priorities are listed in Attachment 4.12(d).

Attachment 4.12(c)(2)(A) Order of Selection; Justification; and Outcome of Service Goals, Timeframes and Service Costs

The Rehabilitation Act of 1973, as amended, requires an Order of Selection of individuals to be served, ensuring that individuals who have the most significant disabilities will be given first priority, whenever all eligible individuals who apply cannot be served.

DEFINITIONS:

A. "Individual with a most significant disability" for the purpose of this attachment, means an individual:

- (i) Who has a significant disability; and
- (ii) Who requires intensive long-term support to facilitate the performance of work activities or daily living activities on or off the job which would typically be performed independently if the individual did not have a disability;

[Intensive long-term support refers to intervention required throughout the individual's work life which may include but is not limited to: need for personal assistance services; need for complex rehabilitation technology services; need for job coaching and/or other long-term intervention during the individual's work life.]

or

- (i) Who has a significant disability; and
- (ii) Who has serious limitations in four or more functional capacities (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of employment outcome.

B. "Individual with a significant disability" means an individual with a disability:

- (i) Who has a severe physical or mental disability that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of employment outcome;
- (ii) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- (iii) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorder, neurological disorders (including stroke and epilepsy), spinal cord conditions (including paraplegia and

quadriplegia), sickle cell anemia, specific learning disability, and end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs as described in the Rehabilitation Act of 1973, as amended, to cause comparable substantial functional limitation.

C. "An individual with a disability" under the Rehabilitation Act of 1973, as amended, means an individual:

- (i) Who has a physical or mental impairment;
- (ii) Whose impairment constitutes or results in a substantial impediment to employment; and;
- (iii) Who can benefit in terms of employment outcome from vocational rehabilitation services.

D. "Eligible" or "eligibility" when used in relation to an individual's qualification for vocational rehabilitation services, refers to:

- (i) certification by qualified personnel that an individual is an individual with a disability; and
- (ii) determination by a qualified vocational rehabilitation counselor employed by the designated State unit that the individual requires vocational rehabilitation services to prepare for, secure, retain, or regain employment consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
- (iii) A presumption that the individual can benefit in terms of an employment outcome from the provision of vocational rehabilitation services unless, based on clear and convincing evidence, it is demonstrated that the individual is incapable of benefiting in terms of an employment outcome from vocational rehabilitation services due to the severity of the applicant's disability.

"Presumption of Eligibility for Social Security Recipients and Beneficiaries" means that an individual who has been determined eligible under Title II or Title XVI of the Social Security Act is:

- (i) considered to be an individual with a significant disability; and
- (ii) presumed to be eligible for vocational rehabilitation services under Title I (provided the individual intends to achieve an employment outcome consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual) unless the office can demonstrate by clear and convincing evidence that such individual is incapable of benefiting from vocational rehabilitation services in terms of employment outcome due to the severity of the disability of the individual. Nothing in this definition shall be construed to create an entitlement to any vocational rehabilitation service.

F. "Order of Selection" means an organized, equitable method for serving individuals with disabilities when all eligible persons who apply cannot be served, with assurance that first priority for service is given to those individuals who have the most significant disabilities.

G. "Individualized Plan for Employment" (IPE) or "Rehabilitation Plan" means that program jointly agreed upon by the appropriate office staff member and the eligible individual with a disability, or, as appropriate, his/her parent, guardian, or other representative, which defines the individual's vocational goal and outlines the vocational rehabilitation services which may be delivered to achieve that goal.

"Priority Category" means that classification of eligible individuals with disabilities listed according to priority for receipt of vocational rehabilitation services under an Order of Selection.

I. "Permanent Functional Limitation" means an impairment in functional capacity, mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills, that is imposed by a disability and that is unlikely to be corrected through surgical intervention and/or medical treatment.

[Use of the term permanent functional limitation in the office's Order of Selection differentiates between those mental or physical conditions that are usually remedied through the provision of a physical or mental restoration service(s) and those other conditions or disabilities that impose, or are likely to impose, a permanent loss or substantial reduction in functioning regardless of surgical and/or medical intervention.]

POLICIES:

The Office of Vocational Rehabilitation has been and will continue to operate under an Order of Selection due to limited resources and will continually evaluate need, funding, and priority categories.

Within the Order of Selection the office will continue to accept referrals of and applications from individuals with disabilities.

The Order of Selection will in no way regulate the provision or authorization of an assessment for determining eligibility.

Any individual who has begun to receive services under an Individualized Plan for Employment will in no way be affected by an Order of Selection.

The Order of Selection policy will permit immediate reclassification into a higher category, with Priority Category I being the highest category, whenever circumstances justify the reclassification.

PROCEDURES:

When it is determined that the office will be unable to provide services to all eligible applicants, the office will implement the Order of Selection. The Division Director of Program Services will issue a memorandum with appropriate instructions for office staff.

All applicants will be declared eligible or ineligible, as appropriate, on a timely basis.

Any person who does not meet the open categories of the Order of Selection will receive information and referral services in accordance to the 1973 Rehabilitation Act, as amended. These services include vocational rehabilitation information and guidance to assist the individual in achieving employment and referral to other Federal and State programs, including other statewide workforce investment programs, which are best suited to meet the individual's specific employment needs.

Any person who has begun receiving services under an Individualized Plan for Employment prior to the effective date of an Order of Selection will in no way be affected should the office implement an Order of Selection.

PRIORITY CATEGORIES:

Upon a determination that the designated State unit cannot provide services to all individuals who are eligible for Vocational Rehabilitation Services, the following Order of Selection will be implemented in compliance with 34 CFR 361.36(a)(A)(c).

This Order of Selection provides priority of service to individuals with the most significant disabilities (priority category I); gives next priority consideration to individuals with significant disabilities who have serious limitations in three functional capacities (priority category II); next priority is given to individuals with significant disabilities with serious limitations in two functional capacities (priority category III); next priority is given to all other individuals who have a significant disability (priority category IV). The criteria for the next priority category addresses the issue of providing priority service to individuals with a non-significant disability that results in permanent functional limitations (priority category V). The remaining priority category is largely self-explanatory in that individuals with less significant disabilities would receive the lowest priority for services (priority category VI).

The Order of Selection system shall have six (6) priority categories as follows:

Priority Category I

Eligible individuals who have the most significant disabilities.

Priority Category II

Eligible individuals with a significant disability who have serious limitations in three functional capacities.

Priority Category III

Eligible individuals with a significant disability who have serious limitations in two functional capacities.

Priority Category IV

Eligible individuals with a significant disability who have serious limitations in one functional capacity.

Priority Category V

Eligible individuals with non-significant disabilities that result in permanent functional limitations.

Priority Category VI

All other eligible individuals whose disabilities are non-significant.

In an effort to continuously evaluate the need for an Order of Selection, the Office of Vocational Rehabilitation, in 2005, developed a team of rehabilitation professionals across the state to review the Order of Selection procedures. As well as reviewing the current priority categories and eligibility process information obtained from other states was also utilized. The recommendations included a revision that emphasizes the importance of defining significant limitations in terms of employment as well as clarifying the definitions of expanded services. A revised Eligibility Worksheet was approved by Senior Leadership and implemented January 1, 2006.

Outcomes of Service Goals with Timeframes and Service Costs

FY 2005 SERVICE GOALS AND OUTCOMES:

Priority Category Goals	Active Cases	Employment
I Eligible individuals with the most significant disabilities ACTUAL	14,087 14,788	1,550 1,700
II Eligible individuals with a significant disability who have serious limitations in three functional areas ACTUAL	10,072 9,614	1,410 1,427
III Eligible individuals with a significant disability who have serious limitations in two functional areas ACTUAL	9,213 8,907	1,454 1,497
IV Eligible individuals with a significant disability who have serious limitations in one functional area ACTUAL	3,081 2,449	401 365
V Eligible individuals with non-significant disabilities that result in permanent functional limitations ACTUAL	75 45	10 6
VI All other eligible individuals whose disabilities are non-significant ACTUAL	0 4	0 0
GOAL TOTAL	36,528	4,825
ACTUAL TOTAL	35,807	4,995

ACTUAL SERVICE COSTS: FY 2005 \$41,546,115*

**Includes Case Service, Guidance and Counseling, Public Community Rehabilitation Programs, and Placement Costs*

FY 2006 SERVICE GOALS:

The Agency increased the provision of services to individuals with the most significant disabilities during fiscal year 2005 by 10%. However, the office in conjunction with SCVR recognizes the state budget deficits in funding for fiscal year 2006 and anticipates a minimal increase in funding the following years. Due to the funding constraints, the service goals for 2006 reflect only a small increase in priority categories I – IV. Emphases on priority category I will continue but a substantial increase in the provision of services to this category is not anticipated.

FY 2006 SERVICE GOALS:

Priority Category Goals	Active Cases	Employment
I Eligible individuals with the most significant disabilities	15,320	1,710
II Eligible individuals with a significant disability who have serious limitations in three functional areas	9,700	1,429
III Eligible individuals with a significant disability who have serious limitations in two functional areas	8,990	1,498
IV Eligible individuals with a significant disability who have serious limitations in one functional area	2,473	360
V Eligible individuals with non-significant disabilities that result in permanent functional limitations	40	3
VI All other eligible individuals whose disabilities are non-significant	0	0
TOTAL	36,523	5,000

SERVICE COSTS: FY 2006 \$42,584,768*

**Includes Case Service, Guidance and Counseling, Public Community Rehabilitation Programs, and Placement Costs*

FY 2007 SERVICE GOALS:

Priority Category Goals	Active Cases	Employment
I Eligible individuals with the most significant Disabilities	15,571	1,722
II Eligible individuals with a significant disability who have serious limitations in three functional areas	9,786	1,432
III Eligible individuals with a significant disability who have serious limitations in two functional areas	9,018	1,499
IV Eligible individuals with a significant disability who have serious limitations in one functional area	2,478	350
V Eligible individuals with non-significant disabilities that result in permanent functional limitations	35	2
VI All other eligible individuals whose disabilities are non-significant	0	0
TOTAL	36,888	5,005

SERVICE COSTS: FY 2007 \$43,649,387*

**Includes Case Service, Guidance and Counseling, Public Community Rehabilitation Programs, and Placement Costs*

Attachment 4.12(c)(3): Goals and Plans for Distribution of Title VI, Part B Funds

Goal 1: The Office will distribute funding from Title VI, Part B through its established network of Supported Employment Providers.

Yearly agreements are developed with each Provider. Fees –for- service and outcome fees, along with policies and procedures for each, have been developed and will be followed by each Provider. All services are monitored by the Supported Employment Branch Staff, consisting of one Branch Manager and three Supported Employment Consultants. In fiscal year 2005, the office assisted 104 individuals in reaching positive (supported) employment outcomes using the Title VI, Part B funds. An additional 211 individuals achieved positive (supported) employment outcome utilizing Title I funds. Additionally, in fiscal year 2005 four (4) new providers were added to the network.

Goal 2: The Office will assure choice and quality services for its consumers served in supported employment by:

- a. thoroughly reviewing all applications for the vendorship program;
- b. monitoring the ongoing and extended supports provided by each agency;
- c. verifying the provider's ability to fund ongoing supports using funds other than VR;
- d. conducting annual reviews of each vendor;
- e. providing technical assistance and training for provider staff (through a contract with University of KY-Human Development Institute's Supported Employment Training Project);
- f. utilizing local teams (where appropriate) to evaluate services and plan for technical assistance;
- g. presenting Basics of Supported Employment regularly for agency staff orientation training (Skills Enhancement Training); and
- h. developing and keeping updated policy and procedural manuals on supported employment for staff via OVR Intranet, and for Providers via Internet and other means.

Goal 3: The office will collaborate with the Department of Mental Health/Mental Retardation Services to expand supported employment options to unserved and underserved groups. Efforts in this regard include:

- a. participation in commissions established as a result of legislation in the year 2000 which were created to improve services and supports to people with mental retardation and other developmental disabilities (HB 144) and services and supports to people with mental illness and dual diagnoses (HB 843). In 2005, HB 296 created the Commission on Autism Spectrum Disorders with similar goals, and VR is active in the work of this Commission ;
- b. development of partnerships with Kentucky Medicaid Waiver Programs (Supports for Community Living, Home and Community Based Waivers, and Acquired Brain Injury

- Waivers) so that these sources of extended support funding can be fully utilized; and
- c. utilization of interagency workgroups to develop better understanding and expand awareness of work incentives (such as in SCL Waiver, Social Security, etc.).

Goal 4: The office will seek to expand services to unserved and underserved counties as well as unserved and underserved disability groups and will encourage continuous improvement in supported employment by:

- a. partnering with KY APSE (Association for Persons in Supported Employment) to advocate for increased state funding for extended support services;
- b. maximizing the existing dollars for extended support services through collaborative agreements and contracts;
- c. increasing knowledge of Kentucky's plan for self-determination strategies, especially within the Medicaid Waiver (Supports for Community Living) programs;
- d. continuing partnerships with local Community Mental Health Centers;
- e. recruiting new Providers using establishment contracts;
- f. providing training and technical assistance in new supported employment methodologies;
- g. researching better ways to fund and/or deliver services. In 2005, revisions to the Supported Employment Outcome Based Fee System were made in order to improve positive employment outcomes; and
- h. piloting new programs, such as through Project ASSET (Advancing Supported Self-Employment Techniques) and BEACON (Business Enterprises Are Creating Opportunities Now).

Attachment 4.12(d) State Strategies and Use of Title I Funds for Innovation and Expansion Activities

Address Needs Identified in the Comprehensive Assessment and to Achieve Identified Goals and Priorities

Continuing statewide studies of the Agency's effectiveness, efficiency and performance; extensive reviews of pertinent studies and statistical analyses; and public input are utilized by the OVR to identify needs of persons with disabilities in Kentucky. The Agency conducted visioning forums across the state during the fall of 2005 to solicit input for the State Plan from consumers, the Statewide Council for Vocational Rehabilitation, the Statewide Independent Living Council, the Client Assistance Program, employers, advocacy groups, community rehabilitation providers, One-stop Centers, and staff. Comments and suggestions were grouped and prioritized by participants. These forums resulted in the following goals.

- GOAL I** To enhance and increase employment for individuals with most significant and significant disabilities consistent with individual capacities, abilities and informed choice
- GOAL II** To promote inclusion, integration and empowerment of individuals with most significant and significant disabilities
- GOAL III** To achieve productive and collaborative relationships with public and private entities
- GOAL IV** To effectively utilize all available human and fiscal resources in an efficient manner

In keeping with the established priorities in Attachment 4.12(c)(1), the Agency has selected the following expansion and innovation activities for funding under Title I.

GOAL I TO ENHANCE AND INCREASE EMPLOYMENT FOR INDIVIDUALS WITH MOST SIGNIFICANT AND SIGNIFICANT DISABILITIES CONSISTENT WITH INDIVIDUAL CAPACITIES, ABILITIES AND INFORMED CHOICE

Develop partnerships with local Drug Courts to improve employment outcomes for individuals with drug and alcohol dependence

Enhance partnerships with minority organizations

Expand internal job preparation and placement program, Preparing Adults for

Competitive Employment, in rural areas

Develop and disseminate local marketing materials

Collaborate with community rehabilitation providers for pilots

Enhance the availability of assistive technology services and devices in all areas of the state

Continue to expand supported employment providers across the state but specifically in rural areas

GOAL II TO PROMOTE INCLUSION, INTEGRATION AND EMPOWERMENT OF INDIVIDUALS WITH MOST SIGNIFICANT AND SIGNIFICANT DISABILITIES

Incorporate advocacy training as a component of Skills Enhancement Training for new staff

Implement advocacy training in Preparing Adults for Competitive Employment

Partner with disability organizations to promote advocacy and empowerment

Educate disability organization on VR issues and services

GOAL III TO ACHIEVE PRODUCTIVE AND COLLABORATIVE RELATIONSHIPS WITH PUBLIC AND PRIVATE ENTITIES

Develop a marketing plan to increase awareness of Vocational Rehabilitation services

Explore resources in state government to consider developing a database of employers

Solicit input from staff on future and local partnerships

Review existing MOA, MOU and contracts for new programs and initiatives

GOAL IV TO EFFECTIVELY UTILIZE ALL AVAILABLE HUMAN AND FISCAL RESOURCES IN AN EFFICIENT MANNER

Develop and implement an effective, comprehensive and responsive management information system

Identify existing quality improvement initiative and implement new initiatives

Revise six and twelve month survey instrument and produce annual report

Review quality improvement initiatives for effectiveness and continuance

Increase qualified professional staff in all disciplines

Develop a comprehensive personnel plan based on an analysis of current and future demographics, trends and agency needs

Increase percentage of minority staff

Develop annual training plan for continuing education and CSPD initiatives

(2) To Carry Out Outreach Activities to Identify and Serve Individuals with the Most Significant Disabilities Who are Minorities

The Agency will continue and expand efforts to identify and serve individuals with the most significant disabilities who are minorities through the following procedures:

Continue program evaluation of service delivery and outcomes to individuals who are minorities and expand strategies for outreach

Continue and expand outreach activities to cause increased referrals to the Agency of individuals who are minorities

Continue and expand cultural diversity training component for all staff

Develop and implement program of diversity training for businesses and community organizations to increase awareness and expand employment opportunities for individuals with significant disabilities who are members of minority

Improve services to individuals with the most significant disabilities, individuals who are minorities and individuals who have been unserved or underserved utilizing data from statewide census

Continue to implement program to recruit rehabilitation counseling interns who are members of a minority

Maintain a referral relationship with the Urban League to increase referrals and positive

employment outcomes among individuals with significant disabilities who are minorities

Increase collaborative efforts and partnerships with agencies and organizations who provide services to minorities in order to increase outreach and increase services to minorities

Continue efforts to hire certified rehabilitation counselors and other staff from minority and culturally diverse groups

Continue collaborative efforts with a historical black college, Kentucky State University, and the University of Kentucky to develop a minor degree program in rehabilitation counseling that will increase awareness of rehabilitation issues among minority populations as well as increase participation by minorities in graduate training in rehabilitation counseling

Continue to coordinate with historically African American colleges and professional associations to recruit, prepare and retain qualified personnel, including staff from minority backgrounds and staff who are individuals with disabilities

The Agency will achieve a more diverse workforce by hiring individuals from protected classes. Minority recruiting will enable the Agency to employ highly competent people from all segments of society who can effectively support the mission of assisting individuals with disabilities into employment. Attitudinal change, structural change and programmatic change are ongoing to support achievement of a more diverse workforce.

Efforts to recruit and hire certified staff with diverse cultural backgrounds and individuals with disabilities are an integral part of the Agency's personnel process. The Agency actively recruits individuals of minority status and individuals with disabilities through Job Fairs conducted at Kentucky State University (KSU), the University of Louisville, the University of Kentucky and other locations throughout the state. The Agency and KSU jointly developed an endorsement program to make rehabilitation courses available on an undergraduate level at a historically black university. Credit hours from KSU classes will count toward the MRC at the University of Kentucky. In addition, the Agency offers stipends to minority students and students with disabilities who meet application criteria for internships within the Agency.

(3) To Overcome Identified Barriers Relating to Equitable Access

Through SWOT analysis conducted, stakeholder input through Visioning Forums across the state, and ongoing quality assessment in 2005, the Agency identified the following barriers related to equitable access.

- Insufficient funds to serve all eligible individuals
- Lack of transportation particularly in rural areas
- Limited consumer self-advocacy skills
- Inadequate marketing of Kentucky Vocational Rehabilitation

- Insufficient number of supported employment providers in rural areas

Strategic Plan **Goal IV** addresses budgetary concerns. The Kentucky Office of Vocational Rehabilitation is currently in an Order of Selection and is unable to serve all eligible individuals. The Agency is actively pursuing grants and partnerships to leverage more funding to serve additional individuals. In addition, the Agency is actively pursuing alternative funding sources for services through the Workforce Investment Act and Ticket to Work funds, which was implemented in Kentucky in the fall of 2002. In the fall of 2005 the Agency implemented several changes to the fees for service and applied economic need testing for hearing aid purchases and computer purchases. The Agency is also planning to negotiate with the Kentucky Department of Education for increased funding for transition services. The Agency continues to review its fee structure to ensure adequate payment for services rendered.

Strategic Plan **Goal III** includes innovative expansion and the Agency continues to explore innovative pilots specifically in areas of job development and job placement for the underserved and unserved populations. In addition rural areas are a focus for innovative projects in an effort to increase the positive employment outcomes and job opportunities to the consumers in those areas.

Improving self-advocacy skills for consumers is addressed in **Goal II**. The Agency will develop materials to sponsor or conduct consumer advocacy training programs annually and specifically during legislative sessions. These resources will allow duplication in local areas of the advocacy training already successfully provided by the Agency. In addition, advocacy training has been incorporated into the curriculum of the Carl D. Perkins Comprehensive Rehabilitation Center and the Skills Enhancement Training for new employees.

Successful marketing of the Agency's unique expertise in all areas of the state is necessary for equal access to all individuals who might be eligible for services. It is imperative that potential consumers and employers know about vocational rehabilitation and how to access services. It is also important that community, state, and federal entities realize the value of vocational rehabilitation to individuals with disabilities. The Strategic Plan **Goal I** addresses marketing to: potential consumers, including those who receive a Ticket to Work; employers; local, state, and federal officials and policymakers; and potential employees.

The Strategic Plan **Goal I** addresses the importance of providing services to individuals with the most significant disabilities. Supported Employment has been identified as a successful evidence-based program that succeeds in the employment of individuals with most significant disabilities. The Agency continues to advocate for long-term funding for supported employment and currently has increased the amount of supported employment providers across the state to eighty. While there is still not a provider in every county, more rural counties are now being accessed and the agency will continue to expand services as funding allows.

Attachment 4.12(e) Evaluation and Report of Progress in Achieving Identified Goals and Priorities and Use of Title I Funds for Innovation and Expansion Activities

The Office selected goals and strategies to fund under Title I for innovation and expansion activities based upon input from consumers, the Statewide Council for Vocational Rehabilitation (SCVR), and Agency staff (consult attachment 4.12 (c)(1)). This input determined priority of goals and strategies that would support the most effective utilization of funds for innovation and expansion activities. The Office's Strategic Plan for 2005-2008 was adopted in October 2005. The following information reports progress toward these goals.

GOAL I: To enhance and increase employment for individuals with most significant and significant disabilities consistent with individual capacities, abilities and informed choice.

Five strategies have been selected for priority under Goal I. The strategies include:

Explore and analyze the percentage of dissatisfied consumers and find reasons and causes

Increase or maintain positive employment outcomes and rehabilitation rate, enhance wages, service individuals with significant disabilities, increase self support at closure and improve outreach to minorities at district or program level with little or no increase in costs

Provide training to increase staff knowledge concerning standards and indicators, including the utilization of on-line resources

Expand the external customer outreach to increase positive employment outcomes

Identify common consumer needs, agency needs, and employer needs and recommend innovative programs

The University of Kentucky conducts annually the consumer satisfaction survey in conjunction with the Statewide Council for Vocational Rehabilitation. The information collected is presented in report format to OVR annually and will be included in an internal review of the dissatisfied consumers. Preliminary findings indicate possible reasons for dissatisfaction includes poor communication between counselor and consumer regarding case closure. Skills Enhancement Training for new staff now includes additional training on case closure and communication requirements with consumers prior to case closure.

The 2005-2008 Strategic Plan included specific strategies for maintaining or increasing all aspects of the performance standards and indicators. While Kentucky OVR did satisfactorily meet all performance standards and indicators in FFY 2005, it is anticipated not all areas will be met in future years due to the stagnant funding. The innovative planning in each district was established to assist in this endeavor and address the performance standards and indicators at a

local level instead of a state level. Training is now incorporated into new employee training regarding the standards and indicators and a goal is established to include this training as an on-line component by 2008.

The Kentucky Business Leadership Network provides information and resources regarding hiring individuals with disabilities to employers across Kentucky. OVR continues to provide support to the KBLN initiative and to the external customers within that program.

Innovative planning is a large part of the newly developed strategic plan. With budgetary constraints it has become even more important to recognize potential partners and collaborate to stretch all resources. OVR will continue to identify innovative initiatives through staff surveys, consumer focus groups, and employer and community rehabilitation programs recommendations. Pilot programs will continue to be implemented across the state with a focus on those areas with little resources and employment opportunities.

GOAL II: To promote inclusion, integration and empowerment of individuals with most significant and significant disabilities

Four strategies have been selected for priority under Goal II. The strategies include:

Implement advocacy training within agency programs

Seek out collaborations with other entities to provide advocacy training in a cost effective manner

Educate disability organizations on VR issues and services

Seek participation, in an advisory capacity, with the Medicaid Buy-In Infrastructure Grant

Advocacy training has been incorporated into the Skills Enhancement Training for new employees. Advocacy is also being considered part of the curriculum for the Preparing Adults for Competitive Employment (PACE) in-house job placement program. The Carl D. Perkins Rehabilitation Center provides advocacy training to new graduates annually. Local districts continue to identify other entities that can assist in providing advocacy training to consumers locally.

In an effort to partner with other entities, OVR continues to provide training on VR missions and services. This information sharing has provided other agencies such as Division of Mental Health/Mental Retardation, Division of Substance Abuse, Developmental Disabilities Council, and Community Mental Health Centers with information needed to determine if OVR is the right agency for their customers.

Kentucky is unfortunately one state that does not have a Medicaid buy-in program. This creates a barrier for individuals with disabilities who are interested in returning to employment. In 2004, Kentucky was awarded an Infrastructure Grant to explore the feasibility of a Medicaid buy-in program. OVR has worked closely on the steering committees as well as the advisory committees in utilizing the Infrastructure Grant Funds to determine the cost benefit of a Medicaid buy-in program. OVR will continue to advocate for changes in our state Medicaid system and the disincentives for returning to employment.

GOAL III: To achieve productive and collaborative relationships with public and private entities

Two strategies have been selected for priority under Goal III. The strategies include:

Develop marketing team to write the marketing plan to increase awareness of the Kentucky Vocational Rehabilitation program

Create new partnerships based on program needs and outside trends

The Office of Vocational Rehabilitation recognizes the importance of local information sharing and establishing local partnerships. To address this issue, the 2005-2008 Strategic Plan includes the development of local marketing information specific to the regions and communities of each district. This will greatly assist the rural areas that have limited resources to assist consumers. Districts that have developed a PACE program will develop material regarding their services. Other specific local services include the Drug Courts, Mental Health Facilities, and assessment services.

With the tightening of resources across the state it is more imperative to identify and develop partnerships that will assist in meeting our goals and mission. Assessment of the agencies current needs as well as the outside trends that were identified in the Strategic Plan initiatives will assist in developing new partnerships.

GOAL IV: To effectively utilize all available human and fiscal resources in an efficient manner

Six strategies have been selected for priority under Goal VI. The strategies include:

Obtain ongoing recommendations from all staff regarding the effective, comprehensive and responsive management information system

Identify and implement quality improvement initiatives

Build partnerships with universities and colleges for recruitment of qualified staff

Develop and implement a comprehensive minority and disability recruitment plan

Identify existing, cost-effective training opportunities

Increase on-line training options for staff

The Case Management System, which is the internal computer data system, is currently being updated to assist the agency more effectively. The changes to the system will include better tracking of internal services such as the PACE program and assessment services. The new windows based program will provide more adequate data for reporting requirements and allow the Office to evaluate services more thoroughly. In 2005, training on the current CMS was conducted across the state and included with that training was an opportunity for staff to identify changes to the system or problems that currently exist. This information has been incorporated into the new system and shared with programmers assisting with the upgrade. This update is projected to be complete in the fall of 2007.

The Office of Vocational Rehabilitation continuously strives for improvement and has incorporated many internal improvement initiatives. Team Review for Advanced Counselor Knowledge and Skills (TRACKS) continues to be a very effective tool to identify areas for improvement within our case documents. TRACKS has also provided crucial training topics and changes or emphasis on specific policies. The TRACKS method continues to be updated and changed as needed to provide valuable feedback to all staff. During the winter of 2005-2006, the agency conducted authorization/EP-8 audits across the state to improve the accuracy of coding and payments. This has provided staff with information and training to promote excellence in budgeting. Specific evaluations and surveys have been conducted on specialized programs such as Community Rehabilitation Providers, CareerScope Assessment Tool, Preparing Adults for Competitive Employment, and six/twelve month follow up services. New areas to be evaluated in the future include Community Based Work Transition Program, Rehabilitation Counselor Mentor Program, and newly developed on-line training programs.

The University of Kentucky currently offers the only graduate degree in Rehabilitation Counseling in the state of Kentucky. With the use of technology however, individuals have many choices to pursue degrees in rehabilitation. OVR continues to partner with UK as well as other out-of-state universities. UK implemented an accelerated on-line master's program in 2004 and continues to work with our agency in developing a program for staff who provide job placement services. The intent is to provide a program so an individual can receive adequate training in job placement techniques and receive a certificate of completion.

The new strategic plan includes an increase in our minority staff from 3% to 10%. We have also included a voluntary survey to identify individuals with disabilities who work for the agency. As an agency that assists individuals with disabilities it is important to show through data the

number of individuals with disabilities that work for our agency.

In an effort to be good stewards of our funding, identification of training resources continues to be explored and offered to interested staff. University of Wisconsin, University of Kentucky, and Auburn University are a few of the colleges that are utilized to assist staff in the training needed to provide the best quality services possible. These training are provided on-line and allows staff to participate at their convenience.

Additionally, OVR is completing the development of on-line training as well. The first training topic is ethics and confidentiality and is being evaluated by managers for accuracy. A virtual counselor program is currently being developed as well with the roll out date being Fall 2006. This will assist new counselors with the interviewing techniques as well as case management.

Kentucky continues to utilize a portion of Title I funds for innovation and expansion activities. These funds were used to provide travel and lodging expenses to both the Statewide Council for Vocational Rehabilitation and Statewide Independent Living Council for the quarterly meetings throughout the year. The Statewide Council for Vocational Rehabilitation annually recognizes employers through the Commonwealth in an effort to increase relationships among employers.

Attachment 7.3: Quality, Scope, and Extent of Supported Employment Services

SCOPE

The Kentucky Office of Vocational Rehabilitation believes that supported employment is a service, which supports people with the most significant disabilities in jobs, which are:

- Integrated with co-workers who do not have disabilities
- In typical community businesses
- Based on individual interests, abilities, and choices (the ways in which we all want to select jobs)

Support services provided by supported employment personnel will vary based on the amount, intensity, and kind of support needed by each individual. Supported employment offers more than just the assistance needed to find and learn a job. It provides the necessary ongoing support to help an individual maintain employment.

Kentucky has identified 62 supported employment providers throughout the state. Individualized strategies are also utilized to arrange for supported employment services outside of "organized programs" when necessary (i.e. coworkers at the job site may provide support paid for with various resources; independent supported employment specialists may be hired, etc.).

More than half of Kentucky's 120 counties have access to supported employment programs. The lack of accessible, dependable transportation often limits access to supported job opportunities.

Extended support services are provided by each local supported employment program utilizing funds from a myriad of sources, including the Department for Mental Health/Mental Retardation Services, the Kentucky Developmental Disabilities Council, city and county government, United Way, fund-raising campaigns, PASS funding, Medicaid, supports for Community Living Waiver funds, and other resources. Most programs utilize a combination of funding sources for the provision of extended support services. Natural supports are encouraged (such as co-worker, peer, etc.) and are carefully monitored by the supported employment provider.

Kentucky's supported employment programs have primarily served individuals with mental retardation and individuals with chronic mental illness. This is largely due to greater availability of funding for extended support for these two groups. Individuals with other disabilities are served if funding for extended support is available and if the supported employment provider has the expertise to meet that individual's needs for employment training and support.

Although the Kentucky Supported Employment Council (organized in 1985 to help coordinate

Project ASSET activities) has disbanded, many of the original members continue to work toward development of a stronger system for funding the extended support services necessary for individuals to be successful in supported employment. KY APSE (Association for Persons in Supported Employment) has taken the lead in this endeavor.

The Office is collaboratively working with the Kentucky Council on Development Disabilities to pilot a supported self-employment project called Project ASSET (Advancing Supported Self-Employment Techniques). The goal is to achieve successful self-employment enterprises with 15 individuals with the most significant disabilities by the end of fiscal year 2004.

The Kentucky Disabilities Coalition, the Kentucky Association for Persons in Supported Employment, and supported employment providers and consumers throughout the state have been successful in creating greater supported employment awareness among the legislators in Kentucky's General Assembly. As a result, the Kentucky Department of Mental Health/Mental Retardation Services, Division of Mental Retardation received \$500,000 for extended support services during the 1996 session. Though not nearly enough to meet the increasing demand, these dollars were the first to be "line-itemed" specifically for supported employment. These awareness/advocacy efforts will continue with the goal of increased statewide funding allocations and possible supported employment legislation.

Included in Governor Patton's Budget Bill for 2003-2004 was \$200,000 for each year of the biennium allocated to the Office to be used for supported employment unmet need. Although this amount will not address the established need, it represents significant progress as it establishes an ongoing line item in the Office budget, which can be increased over time. The Office joined with KY APSE to advocate for this funding.

QUALITY

Pursuant to federal regulations, supported employment services provided by approved vendors must contain these elements: 1) competitive work; 2) integrated work settings; 3) provision of extended support services. In order to ensure that supported employment services are provided according to regulation, the following guidelines must be met:

1. Services will be provided for individuals with the most significant disabilities who have a documented need for supported employment services, including extended support services.
2. Work will be performed on a full-time or part-time basis. Each individual in supported employment and his/her Vocational Rehabilitation counselor shall jointly establish in the IPE an appropriate goal for the number of hours per week that will maximize the individual's vocational potential.
3. Work must take place in integrated settings where most workers do not have disabilities.

4. Wages must be in compliance with Fair Labor Standards Act. Each supported employee will have a goal of earning at least minimum wage.

Kentucky's supported employment providers adhere to the following principles:

The supported employment concept assumes that all persons, regardless of degree of disability, have the capacity and should be afforded the opportunity to participate in real employment with appropriate support.

Rather than spending time preparing an individual for some job in the future for which supported employment is ongoing, extended support required to get and keep a job.

Emphasis is placed on recognizing and maximizing opportunities in the workplace rather than just providing skills training.

The purpose of the program is employment with all of the general expectations of a job such as wages, job security, and performing meaningful work.

Ongoing, extended supports are tailored to meet each individual's needs.

Individuals are offered choices in the selection and maintenance of jobs. Decisions about appropriate services are made jointly with the individual and/or the family, the supported employment provider, and the DVR counselor.

Integration on the job site is recognized as necessary and important. Opportunities are available for non-work interactions with non-disabled workers. Interactions with non-disabled co-workers are a part of regular job responsibilities. "Natural supports" are developed and emphasized.

Extended services are proactive, not merely reactive. For example, plans are developed with individuals in anticipation of career advancement rather than merely waiting for a job loss, lay off, company closing, etc., before seeking other opportunities.

Re-employment assistance is provided to workers changing jobs to ensure the continuation of integrated employment. Services are oriented toward career development, not merely job retention.

The primary staff responsible for providing supported employment services are "job coaches," "job trainers," or "supported employment specialists." Positions are both full and part-time, depending on the size and service territory of the local provider. Training for staff is provided by the Supported Employment Branch according to the needs of the provider and may include a "job coach shadowing experience" or team-planning seminars. "Fundamentals of Supported Employment" workshops are also required for all vendors in the DVR-SE Outcome-based

Reimbursement System. These are funded collaboratively in DMR/DVR dollars and are implemented by the Supported Employment Training Project at the University of Kentucky Human Development Institute. Technical assistance is also provided by the Supported Employment Branch's staff, including the Supported Employment Administrator and Supported Employment Consultants who work statewide. A resource manual and other policies and guideline memorandums were developed for vocational rehabilitation counselors. These are periodically revised and updated so that staff may better understand the rehabilitation process in regard to supported employment. This is a useful tool for supported employment providers, as well, in coordinating services.

Seminars, workshops, and training/awareness sessions are arranged and/or participated in throughout the state with various agencies and organizations that can assist with funding, conversion, employment, and other related supported employment issues. In the last fiscal year meetings of this nature were held in Kentucky with such groups as The Arc of Kentucky, the Kentucky Developmental Disabilities Council, Community Mental Health Centers, Kentucky Consortium for Values Based Training, the Kentucky Disabilities Coalition, KY APSE, School-to-Work Transition groups, and many others.

The quality of supported employment outcomes is assessed individually. Such issues as consumer satisfaction, earnings, benefits, employee and employer satisfaction, the degree of integration, availability of dependable transportation, co-worker support, socialization, work environment, and provision of support services are important. On a regular basis, the supported employment administrator and/or the supported employment consultants conduct technical assistance visits with each provider for quality assurance purposes. Each supported employment provider established on going strategies to measure consumer satisfaction.

EXTENT

As a part of the eligibility determination process for Vocational Rehabilitation services, supported employment will be considered as a possible vocational outcome for individuals with the most significant disabilities.

The Office of Vocational Rehabilitation will be able to provide supported employment services where available through approved vendors and/or individual providers. These services may include:

- A. Development of a vocational profile with recommendations for job-development;
- B. Individually designed job development services, including assistance with job carving, reasonable accommodation, technology and/or other support strategies;
- C. Intensive on-the-job skills training and other support services provided by supported employment specialists and/or co-workers and employers
- D. Time-limited follow-up services (including regular contact with employer,

- trainee, parent, guardian, or others deemed appropriate);
- E. Time-limited regular observation of or supervision of individuals with significant disabilities at the training site;
- F. Other services needed to support the individual, such as travel, travel training, employment advocacy, non-employment advocacy, and counseling;
- G. Supplemental evaluation of rehabilitation potential for supported employment, if needed, to determine the most suitable supported employment objectives or to determine what on-site supports are needed, including the need for rehabilitation technology.

The amount, frequency and type of services will be based on the needs of each individual once eligibility is established for supported employment. If off-job-site monitoring is determined to be appropriate, the monitoring, at a minimum, will consist of two meetings per month with the individual and one meeting each month with the employer.

Extended long-term follow-up support services will be the responsibility of other relevant state agencies, private organizations, and other sources of funding. These services will be considered and planned for prior to an individual receiving the services listed above. Vendorships are not approved unless assurance is made of the availability of extended support services. If extended services are not fully assured at the onset of the IPE, the Vocational Rehabilitation counselor and the DVR Supported Employment Branch staff will fully participate in making arrangements for these services before the Vocational Rehabilitation case is closed.

Transition from Title VI, Part B funds to other funding sources will generally occur within 18 months of the date of placement. On a case-by-case basis, as determined in an IPE, the 18-month limitation may be exceeded in order to assist the individual in stabilizing in employment.

Generally, transition from Title VI, Part B funds will occur when the supported employment program personnel, the VR counselor, and the consumer determine that stabilization has been achieved. Stabilization is measured for each individual by considering all circumstances including support needs, consumer choice and satisfaction regarding services, and employer feedback.

The Kentucky Office of Vocational Rehabilitation does not discriminate on the basis of race, color, national origin, sex, disability, age, religion or marital status in employment, or provision of services and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all program activities.

Printed with Federal Funds.

